
S T A T U T O R Y I N S T R U M E N T S

1965 No. 534

WATER RESOURCES, ENGLAND AND WALES

The Water Resources (Licences) Regulations 1965

<i>Made - - - -</i>	<i>19th March 1965</i>
<i>Laid before Parliament</i>	<i>31st March 1965</i>
<i>Coming into Operation</i>	<i>1st April 1965</i>

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[H.L.G. 19805]

SCHEDULES:

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The Minister of Housing and Local Government, in exercise of his powers under sections 28(1), 33(5), 37(5), 39(2) and (4), 40, 42(2), 43(3), 47(3), 48, 52, 53, 54 and 134 of the Water Resources Act 1963(a) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

PART I

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Water Resources (Licences) Regulations 1965, and shall come into operation on 1st April 1965.

Interpretation

2.—(1) In these regulations—

“the Act” means the Water Resources Act 1963;

“licence to abstract” means a licence under the Act to abstract water;

“licence to impound” means a licence under the Act to obstruct or impede the flow of an inland water by means of impounding works;

“licence of right” means a licence to abstract granted in the circumstances mentioned in section 33(7) of the Act;

“the Minister” means the Minister of Housing and Local Government;

“newspaper” means a newspaper (other than the London Gazette) circulating in the relevant locality as defined in section 28(4) of the Act;

“river authority” includes, in addition to any river authority established under the Act, any authority, board or other body for the time being invested with functions of a river authority by or under an Act, and, in relation to such an authority, board or other body, any reference (howsoever expressed) to the area of a river authority shall be construed as a reference to the area with respect to which those functions are for the time being exercisable.

(2) In these regulations, any reference to a licence under the Act, or to the holder of a licence under the Act, where the reference is to the revocation or variation of such a licence, includes a reference to an authorisation in an alternative statutory provision for the time being in force, by virtue of which statutory water undertakers or other persons are authorised to obstruct or impede the flow of an inland water by means of impounding works, or to those undertakers or other persons, as the case may be, as mentioned in section 48 of the Act.

(3) The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(a) 1963 c. 38.

(b) 52 & 53 Vict. c. 63.

Service of documents

3. Any notice or other document required or authorised by these regulations to be given or served may be given or served in the manner prescribed by section 120 of the Act.

PART II

APPLICATIONS FOR LICENCES AND APPEALS

General provisions for the purposes of Part II

4.—(1) Subject to the provisions of Part III of these regulations (which relates to certain licences of river authorities and the British Waterways Board), and to any regulations for the time being in force under section 32 of the Act (which relates to succession to licences to abstract water), this part of the regulations shall apply in relation to any application for a licence under the Act and to any appeal consequential on such application.

(2) Subject to the provisions of regulation 9 (which relates to an application by the holder of a licence for variation of his licence), the provisions of this part (including the provisions with respect to the dealing with applications, and appeals consequential thereon) shall apply, with any necessary modifications, in relation to any application under section 42 of the Act for the variation of any description of licence as they apply in relation to an application for the grant of a licence of the same description.

(3) The particulars asked for in each of the model forms of application set out in Schedule 1 to these regulations are the particulars prescribed for inclusion in an application of the description to which that form relates, and any reference in this part of the regulations to the appropriate particulars in relation to an application shall be construed accordingly.

(4) The forms numbered N1 to N4 in Schedule 2 to these regulations are the forms of notice prescribed for the purposes of section 28 of the Act (and for the purposes of that section as applied by sections 37(5) and 42(2) of the Act), by virtue of which applicants are required (with certain exceptions) to publish, and in some circumstances serve, notices with respect to their applications; and any reference in this part to the appropriate section 28 notice in relation to an application is a reference to a notice in that one of the forms mentioned above which is appropriate to the application, or in a form substantially to the like effect.

(5) The map required by the next following regulation to accompany an application shall be an ordnance map in one or more sheets, and, except where the river authority otherwise allow, the scale of the map shall be not less than six inches to one mile.

(6) Matters required by any of the following regulations to be shown on the map accompanying an application shall be distinctly marked thereon (and explained in the map legend) with such degree of particularity as may be required for the purposes of the appropriate particulars to be included in the application, and points of abstraction shown on the map shall be allotted reference numbers.

(7) Where by virtue of any of the following regulations land consisting of underground strata is required to be shown on the map accompanying an application, the requirement may be satisfied by suitably indicating on the map the area below which the land in question is situate, and by including in the map legend such particulars of the position of the land in question in

relation to the surface, and of its dimensions, as may be requisite for the purpose for which the land is required to be shown.

(8) As respects any abstraction of water to which this paragraph relates, a requirement of the regulations that a point or points of abstraction shall be shown on the map and specified in the application may be satisfied by defining within clearly marked limits the place where that abstraction is to be effected and by specifying that place as the point of abstraction, and any reference in the regulations to a point of abstraction shall be construed accordingly. This paragraph relates to any proposed abstraction of water from an inland water by mobile means at undetermined points.

Applications for licences

5.—(1) An application for a licence to abstract or impound in a river authority area shall be made to the river authority on the appropriate form issued by and obtainable from the authority, shall include such of the appropriate particulars as are material to the application and shall comply with such other provisions of this part of the regulations as are relevant.

(2) The application shall be accompanied by a map (as mentioned in regulation 4(5)) for the purpose of showing the matters required so to be shown by whichever is appropriate of the three next following regulations, and shall also be accompanied by such other documents (if any) as are thereby required.

(3) The application (together with any accompanying documents) and such additional number of copies, not exceeding two, as the river authority may require, shall be transmitted to the river authority, addressed to the Clerk of the authority at their principal office or otherwise as the authority may direct.

(4) In this regulation “the appropriate form”, in relation to an application, means a form which asks for particulars which are the appropriate particulars as respects the application in question.

Application for a licence to abstract, other than a licence of right

6.—(1) This regulation shall apply in relation to any application for a licence to abstract, other than a licence of right or a licence to be granted by virtue of section 56(2) of the Act; and in this regulation “relevant land”, in a context relating to section 27 of the Act, means, in relation to a place at which it is proposed in the application to abstract water from an inland water, land contiguous to that place, and, in relation to underground strata from which it is so proposed to abstract water, land consisting of or comprising those strata.

(2) The matters required to be shown on the map accompanying the application are:—

- (a) every point of abstraction to which the application relates;
- (b) the relevant land for the purposes of section 27 of the Act specified in the application;
- (c) save where it is an application for a licence falling within the exception in section 30(3) of the Act (which exception relates to a licence granted to a river authority, or to water undertakers for purposes of their water undertaking), the land on which it is proposed to use, for the purposes proposed in the application, water abstracted in pursuance of the licence, distinguishing as necessary between parts of the land on which it is proposed to use such water for different purposes.

(3) If the applicant is not a person who is entitled to make the application in accordance with section 27 of the Act by virtue of occupying relevant land

for the purposes of that section, the application shall be accompanied by the evidence which the applicant tenders with a view to satisfying the river authority—

- (a) as respects any proposed abstraction from an inland water or from underground strata, that he has entered into negotiations for the acquisition of an interest in relevant land such that, if the interest is acquired by him, he will be entitled to occupy that land; or
- (b) as respects any proposed abstraction from an inland water, that he has, or at the time when the proposed licence is to take effect, will have, a right of access to relevant land;

or shall include a statement indicating the nature of the evidence in that behalf which the applicant can produce if the river authority shall so require.

(4) The application shall be accompanied by—

- (a) copies of the newspaper or newspapers containing the appropriate section 28 notice (as mentioned in regulation 4(4)), and
- (b) a declaration, signed by or on behalf of the applicant, that such a notice has also been published in the London Gazette (giving the date of publication) and, where the notice is required by virtue of section 28(1)(b) of the Act to be served on any authority therein mentioned, that such requirement has been complied with (giving particulars of the service).

(5) Paragraphs 2(b), (3) and 4(b) of this regulation shall not apply in the case of an application by the British Waterways Board to which section 131(2)(b) of the Act relates.

Application for a licence of right, or for a licence by virtue of section 56(2)

7.—(1) This regulation shall apply in relation to any application for a licence of right and, to the extent hereinafter expressly provided, in relation to any application for a licence by virtue of section 56(2) of the Act; and in this regulation any reference to a section 33(1)(a) application, a section 33(1)(b) application, or a section 56(2) application is a reference respectively to an application made by virtue of section 33(1)(a) of the Act in reliance on a statutory provision (other than an order under the Water Act 1958(a), in force on 1st April 1965, an application made by virtue of section 33(1)(b) of the Act in reliance on abstraction of water by the applicant within the period of five years ending with 1st April 1965 (otherwise than by virtue of a statutory provision), or an application made by virtue of section 56(2) of the Act in reliance on a statutory provision coming into operation after 1st April 1965 in pursuance of an application made at any time before 1st July 1965.

(2) The matters required to be shown on the map accompanying the application (including any section 56(2) application) are the matters specified in paragraph (2) of the last preceding regulation (except the relevant land for the purposes of section 27 of the Act referred to in sub-paragraph (2)(b)) as required in the case of applications to which that regulation applies.

(3) A section 33(1)(a) application, and a section 56(2) application, shall be accompanied—

- (a) where the relevant statutory provision relied on is a licence under section 14 of the Water Act 1945(b), by that licence or a true copy thereof, or, if for any sufficient reason (which shall be specified) the foregoing requirement cannot be complied with, by sufficient evidence in writing of the grant of such licence and of its terms;
- (b) in any other case (except where the statutory provision in question is contained in a public general Act), by a copy of the relevant statutory provision on which the applicant relies.

(a) 6 & 7 Eliz. 2. c. 67.

(b) 8 & 9 Geo. 6. c. 42.

(4) A section 33(1)(a) application, made in reliance on a statutory provision which does not specify or otherwise limit the quantity of water authorised to be abstracted, shall also be accompanied by evidence in writing for the purpose of proving to the reasonable satisfaction of the river authority any particulars included in the application with respect to quantities of water abstracted in the relevant period ending with 1st April 1965 and other matters, as mentioned in section 34(3) to (5) of the Act.

(5) A section 33(1)(b) application shall be accompanied by evidence in writing for the purpose of proving to the reasonable satisfaction of the river authority any particulars included in the application with respect to quantities of water abstracted in the relevant period ending with 1st April 1965 and other matters, as mentioned in section 35(2) to (4) of the Act, and any statement included in the application with respect to matters referred to in section 35(5) of the Act.

(6) Where evidence in writing provided by an applicant in pursuance of paragraph (4) or paragraph (5) of this regulation relates to any quantity of water which is shown in the application to be an estimated quantity, that evidence shall include a statement explaining how the estimate in question was made.

Application for a licence to impound, or for a combined licence

8.—(1) The matters required to be shown on the map accompanying an application for a licence under section 36 of the Act to obstruct or impede the flow of an inland water by means of impounding works are:—

- (a) the location of the impounding works to which the application relates and, in the case of any proposed alteration of existing works, the site of the proposed alteration;
- (b) if any land is proposed to be submerged, all such land;
- (c) if any points, being either control points or points at which water will be discharged into the same or another inland water, are required to be specified in the application, every such point, with a reference number.

(2) The application shall be accompanied by—

- (a) copies of the newspaper or newspapers containing the appropriate section 28 notice (as mentioned in regulation 4(4)), and
- (b) a declaration, signed by or on behalf of the applicant, that such a notice has also been published in the London Gazette (giving the date of publication) and, where the notice is required by virtue of section 28(1)(b) of the Act (as applied by section 37(5)) to be served on any authority therein mentioned, that such requirement has been complied with (giving particulars of the service).

(3) In relation to any application in pursuance of section 37(3) of the Act for a combined licence, the relevant provisions of this part of the regulations shall have effect, subject to the following provisions of this paragraph, as if the application comprised an application for a licence to impound and a separate application for a licence to abstract water; and—

- (a) the documents which, by virtue of this paragraph, are required to be put together for the purpose of the application (including any accompanying documents) shall be clearly marked so as to show that those which relate to impounding works and those which relate to abstraction of water are associated with each other as parts of an application for a combined licence;
- (b) the requirements relating to the submission of a map with every

application for a licence, and to the showing thereon of the matters required so to be shown by whichever is relevant of the regulations with respect to an application for a licence to abstract water and by the foregoing provision of this regulation with respect to an application for a licence to impound, may, if the requisite particulars can be satisfactorily shown on a single map, be complied with by submitting with the application for a combined licence one map containing all the particulars required to be shown in respect of that application;

- (c) the appropriate section 28 notice shall be a notice in the form indicated as appropriate to an application for a combined licence in Schedule 2 (and therein numbered N3), or in a form substantially to the like effect.

Application under section 42 for variation of a licence

9. In relation to any application under section 42(2) of the Act (which provides that the holder of a licence under the Act may apply to the river authority to vary the licence), regulations 5 to 8 of these regulations, except the provisions relating to publication and service, as required, of the appropriate section 28 notice (which shall be in, or substantially in, the form N4 in Schedule 2), shall not apply; and the said provisions relating to the appropriate section 28 notice shall not have effect in any case where the variation proposed by the applicant is limited to reducing the quantity of water authorised to be abstracted in pursuance of the licence during one or more periods.

Duties of river authority in dealing with applications

10.—(1) On receipt of any application for a licence under the Act the river authority shall send to the applicant an acknowledgment in (or substantially in) the terms of the form of acknowledgment of receipt of application set out in Schedule 3 to these regulations.

(2) In the case of any application for a licence (other than a licence of right) in pursuance of which the applicant proposes either to abstract water, or to construct or alter impounding works (or to do both) in the area of a National Park—

(a) the river authority, on receipt of the application, shall give notice in writing of the making of the application to the National Park planning authority, or, as the case may be, to each National Park planning authority, in whose area it is proposed to effect or carry out any such abstraction or work (together with a copy of the application and a map sufficient to enable the land which is the subject of the application to be identified), and shall include in the notice a statement to the effect that the planning authority may, if they so desire, make representations in writing with respect to the application in question within a period of 21 days from the date on which the notice is given;

(b) the application shall not be determined until after the last date on which representations may be made with respect to it in pursuance of a notice given under this paragraph, and the matters to which the river authority or the Minister, as the case may be, is to have regard in dealing with the application shall include any representations duly made with respect to the application by a National Park planning authority in pursuance of such a notice.

(3) On receipt of any application, made by a person other than the British Waterways Board, for a licence of right to abstract water from an inland water to which section 131 of the Act (which relates to inland waters owned or

managed by the British Waterways Board) applies, the river authority shall give notice in writing to that Board of the making of the application, together with a copy of the application and of any documents accompanying it, and the river authority shall not determine the application until after the expiry of a period of 21 days beginning with the day on which such notice is accordingly given.

(4) The period within which the river authority shall give notice to an applicant for a licence of their decision on his application, or, as the case may be, of the reference of the application to the Minister in pursuance of directions given under section 38 of the Act, shall be the following period from the date of receipt of the application, namely—

- (a) in the case of an application for a licence of right, a period ending on 31st December 1965;
- (b) in the case of an application for a licence other than a licence of right, being an application made before 1st July 1965, a period ending on 30th September 1965; and
- (c) in any other case, three months.

(5) Where the river authority decide to grant a licence subject to conditions or departing in a material respect from the proposals in the application, or to refuse a licence, they shall state their reasons in writing, and the river authority shall send with their decision a notification in (or substantially in) the terms of the relevant notification set out in Schedule 3 to these regulations.

(6) Every licence granted by a river authority under the Act in pursuance of an application shall be in writing and in a form deemed suitable by the authority for setting out the provisions which are required to be included, regard being had to any relevant provisions of the Act (including, in particular, sections 30 and 36) and of these regulations, and the licence document shall bear, at the head, the name of the river authority and a serial number allotted by the authority to the licence, and, at the foot, a note as respects the fee which, at the time when the licence is granted, is the appropriate fee payable by the holder of the licence in accordance with section 57 of the Act. There shall also be appended to a licence to abstract water a notice (addressed to any person who becomes the holder of the licence by succession under section 32 of the Act) in, or substantially in, the terms of such notice set out in Schedule 3 to these regulations.

(7) On referring any application to the Minister in pursuance of a direction under section 38 of the Act a river authority shall serve on the applicant notice of the terms of the direction and of any reasons given by the Minister for issuing the direction, and such notice shall inform the applicant that the application has been referred to the Minister, that the Minister will, if the applicant so desires, afford to the applicant an opportunity of appearing before and being heard by a person appointed by the Minister for the purpose, and that the decision of the Minister on the application will be final.

Grant of multiple licence of right

11.—(1) Where application is made to a river authority for a licence of right by virtue of section 33(1)(a) of the Act in reliance on one or more statutory provisions and it appears to the authority, or to the Minister on appeal,—

- (a) that the applicant would, apart from this regulation, be entitled to two or more licences under section 33 by reason that he was entitled to abstract water by virtue of two or more separate statutory provisions (including, or consisting of, the provision or provisions in reliance on which application has been made), whether those statutory

provisions relate to different sources of supply or to abstraction from the same source of supply but at different points or by different means, and

(b) that those sources of supply, or those different points or different means, as the case may be, have been, or are intended to be, used by the applicant in conjunction with each other (whether simultaneously or as alternatives or otherwise), and

(c) that it is expedient that (instead of two or more licences) there should be granted to the applicant one licence under section 33 providing for them to be so used in pursuance of the licence,

the river authority or, as the case may be, the Minister, may determine that such a licence (hereinafter referred to as a "multiple licence of right") shall accordingly be granted.

(2) In relation to a multiple licence of right sections 30 and 34 of the Act shall have effect subject to the exceptions and modifications specified below.

(a) Section 30 shall have effect as if—

(i) in subsection (1), after the word "source" in both places where that word occurs, there were inserted the words "or sources";

(ii) in subsection (6)(b), after the word "water" there were inserted the words "from different sources of supply or";

(iii) at the end of subsection (6) there were inserted the following proviso—

"Provided that provision shall in every case be made under subsection (1) with respect to the yearly aggregate quantity of water to be abstracted from such different sources of supply or points of abstraction, or by such different means, as are to be used in conjunction with each other, whether or not such provision with respect to a quantity of water is also made separately in relation to any of those matters in accordance with this subsection."

(b) Section 34 shall have effect as if that section included provision for securing that:—

(i) a quantity of water specified in the licence as a yearly aggregate quantity in respect of such sources, points or means as are to be used in conjunction with each other in pursuance of the licence shall be a quantity which represents as nearly as may be the sum of corresponding individual quantities (determined in accordance with the provisions of the section as if a separate licence fell to be granted in respect of each of the relevant statutory provisions) less so much, if any, of that sum as appears to the river authority to be in excess of the yearly aggregate quantity which can be abstracted from those sources or points, or by those means, used in conjunction with each other on a continuing basis under normal operating conditions;

(ii) other provisions included in the licence with respect to the quantity of water authorised to be abstracted shall be determined in accordance with the provisions of the section as if a separate licence fell to be granted in respect of each of the relevant statutory provisions;

(iii) the provisions of the licence, other than provisions relating to quantity, shall be such as appear to the river authority to correspond as nearly as may be to such provisions of the relevant statutory provisions, subject to any exceptions and modifications

reasonably required to adapt them for inclusion in a single licence providing for sources, points or means (as the case may be) to be used in conjunction with each other;

and as if any reference in the section to a river authority included a reference to the Minister on appeal.

Appeals

12.—(1) Any person who wishes to appeal in accordance with section 39 of the Act against the decision of a river authority on his application for a licence under the Act (or by reason of the failure of the river authority to give notice of their decision or of the reference of the application to the Minister) shall give notice of appeal in writing to the Minister within one month from the date of receipt of notice of the river authority's decision, or of the expiry of the appropriate period (or any agreed extension thereof) specified in regulation 10(4) of these regulations, as the case may be, or within such longer period as the Minister may at any time allow.

(2) Such a person shall provide the Minister with a copy of the following documents:—

- (a) the application for a licence made to the river authority;
- (b) all relevant maps and particulars submitted to the authority;
- (c) the notice of the decision, if any;
- (d) all other relevant correspondence with the river authority.

(3) On receipt of the copy of the notice of appeal which the applicant is required by section 39(2) of the Act to serve on the river authority, that authority shall within a period of 14 days serve a copy of the notice—

- (a) on each of the persons, if any, who made representations with respect to the application to which the appeal relates within the period allowed in that behalf by the appropriate section 28 notice relating to that application; and
- (b) on any National Park planning authority who, having been served with notice of the application to which the appeal relates in accordance with the provisions of regulation 10(2) of these regulations, duly made representations with respect to the application.

(4) Any person or authority who is served with a copy of a notice of appeal under the preceding paragraph may make further representations to the Minister in writing within a period of 21 days from the date on which the copy of the notice is served on him, and the Minister shall take into account any further representations duly made to him by a National Park planning authority as well as any such representations made to him by a person referred to in sub-paragraph (a) of the last preceding paragraph.

PART III

CERTAIN LICENCES OF RIVER AUTHORITIES AND OF THE BRITISH WATERWAYS BOARD

Grant of licences to river authorities

13.—(1) The provisions of this and of the two next following regulations apply with respect to the abstraction of water by river authorities from sources of supply in their areas and to the construction or alteration by river authorities of impounding works in their areas, and prescribe the exceptions and modifications subject to which the provisions of Part IV of the Act have effect by virtue of section 52 in relation to those matters.

(2) The general restrictions on abstraction of water and impounding works in section 23 and section 36 of the Act shall have effect as if the reference in each of those sections to a licence granted by the river authority were a reference to a licence granted or deemed to be granted by the Minister in accordance with this regulation.

(3) Where a river authority propose to undertake any abstraction, or carry out any work, in relation to which a licence under the Act is required (including a combined licence as mentioned in section 37(3) of the Act) they shall set out their proposals in the form of a draft licence including all the matters which appear to them to be appropriate for inclusion in the licence they require, and shall place a copy thereof on deposit at their offices together with such map, showing such matters (other than land on which, or purposes for which, any water abstracted is to be used), as would be required if the proposals were contained in an application made to the authority.

(4) Section 28 of the Act (and that section as applied by any other provision of Part IV of the Act) shall have effect so as to require a river authority who have deposited proposals in accordance with the last preceding paragraph to publish as mentioned in subsection (1)(a), and in the circumstances referred to in subsection (1)(b) to serve as there mentioned, a notice stating—

(a) that the proposals (briefly describing them), together with any map deposited with them, will be open to inspection by the public at the offices of the authority, free of charge, at all reasonable hours during a period specified in the notice in accordance with section 28(3);

(b) that representations with respect to the proposals may be made in writing to the river authority before the end of that period; and

(c) that after the expiry of that period the authority will be entitled to pass a resolution by virtue of which a licence authorising the proposals shall be deemed to be granted, unless the Minister, either in consequence of any representations made with respect to the proposals or otherwise, requires an application for a licence to be made to him.

(5) If the proposals include the making of any abstraction or the construction or alteration of any impounding works in the area of a National Park, the river authority shall serve on the National Park planning authority in whose area that abstraction or impounding is to take place (or, if there is more than one such authority, on each of them) a notice to the like effect, subject to any necessary modification, as the notice which they are required by the last preceding paragraph to publish, and, where the National Park planning authority so require, a copy of the draft licence embodying the proposals and of any map deposited therewith.

(6) As soon as may be after depositing proposals and giving notice with respect thereto in accordance with the foregoing provisions of this regulation the river authority shall send to the Minister a copy of every notice published in a newspaper or served as required by virtue of this regulation, together with a note of the date of publication of such notice in the London Gazette, a statement as to the nature of the authority's entitlement (in accordance with section 27) to apply for a licence in respect of any abstraction proposed, and, if the Minister so requires, a copy of the draft licence embodying the proposals and of any map deposited therewith, and if any representations are duly made with respect to the proposals the authority shall as soon as may be send a copy of those representations to the Minister.

(7) At any time before a river authority have resolved in accordance with the next following paragraph to proceed with their proposals, the Minister

may by notice in writing require the authority to apply to him for a licence authorising the proposals, and any application to the Minister in pursuance of such a requirement shall be made by reference to the draft licence embodying the relevant proposals and shall be deemed to be an application which has been referred to the Minister in accordance with a direction under section 38 of the Act.

(8) Where not less than seven days have elapsed after the last date for making representations with respect to a river authority's proposals under this regulation and either—

- (a) no such representations have been duly made, and the Minister has not by notice in writing required the river authority to apply to him for a licence, or
- (b) the Minister (having had regard to any representations duly made with respect to the proposals) has notified the authority in writing that he does not intend to require them to apply to him for a licence,

the river authority may resolve to proceed with their proposals, and, if they so resolve, the draft licence in which those proposals are embodied shall take effect as a licence deemed to have been granted by the Minister, in pursuance of an application referred to him under section 38 of the Act, on the date of the authority's resolution.

(9) For the purposes of this regulation the provisions of Part IV of the Act mentioned below shall have effect subject to the exceptions and modifications there indicated and to any other necessary modifications:—

- (a) section 27 shall have effect in relation to any proposals of a river authority under this regulation to abstract water (other than proposals in respect of which the authority have submitted an application to the Minister) as if those proposals were contained in an application made to the river authority, and that section shall have effect in relation to any such proposals in respect of which the authority have applied to the Minister for a licence as if any reference therein to the river authority were a reference to the Minister;
- (b) section 29(2), (3)(a) and (4) to (7) shall have effect in relation to any proposals of a river authority under this regulation (other than proposals in respect of which the authority have submitted an application to the Minister) as if those proposals were contained in an application made to the river authority, and as if a resolution by the authority to proceed with them involved the grant by the authority of a licence on that application;
- (c) section 38(3) shall have effect in relation to any application made to the Minister in accordance with this regulation as if that subsection referred in appropriate terms to the river authority and a person who has duly made representations with respect to the authority's proposals (instead of to the applicant and the river authority) and as if the obligation therein imposed on the Minister applied only in the event of a request by the river authority to be heard with respect to their application;
- (d) section 38(4) shall have effect in relation to any application made to the Minister in accordance with this regulation as if all the words in subsection (4) after the words "shall be final" were omitted;
- (e) section 41 shall have effect in relation to any application made to the Minister in accordance with this regulation as if subsection (3) of that section required the Minister to consider whether the grant of a licence

on that application would authorise derogation from protected rights, and as if subsection (4) enabled the Minister to grant, or refuse to grant, a licence as he may thereunder determine;

(f) section 56(1) and (7) shall have effect as if any proposals deposited by a river authority in accordance with this regulation were contained in an application for a licence under the Act (other than a licence of right), made on the date on which notice with respect to those proposals was first published, and as if, in relation to that application, the relevant events specified in subsection (7) were the grant or refusal of a licence by the Minister, the passing by the authority of a resolution whereby a licence is deemed to be granted, or the expiry of a period of three months after the last date on which representations could have been duly made with respect to the relevant proposals, if when that period expires the river authority have neither applied to the Minister for a licence nor passed such a resolution as aforesaid.

(10) Section 42 of the Act (which relates to the revocation or variation of a licence on the application of the holder) shall have effect in relation to any licence of a river authority to abstract or impound in the authority's area as if that section made provision for the river authority, by resolution, to revoke the licence, or to effect a variation of it limited to reducing the quantity of water authorised to be abstracted in pursuance of the licence during one or more periods; and as respects any other variation of such a licence, section 42(2) shall have effect so as to enable a river authority to make proposals for the variation of the licence.

(11) Paragraphs (4) to (8) of this regulation, and the provisions of the Act mentioned in sub-paragraphs (b) to (e) of paragraph (9) as therein modified, shall apply, with any other necessary modifications, in relation to such proposals by a river authority for the variation of a licence as they apply in relation to proposals for a licence.

Revocation or variation of river authority's licence by the Minister

14.—(1) Sections 43 and 44 of the Act (which relate to the revocation or variation of a licence, otherwise than on the application of the holder) shall have effect as respects any licence of a river authority to abstract or impound in the authority's area, subject to the exceptions and modifications hereinafter prescribed.

(2) Section 43(2) shall apply so as to enable the Minister, where (either in consequence of representations made to him or otherwise) it appears to him that a river authority's licence ought to be reviewed, to formulate proposals for revoking or varying the licence as he may consider appropriate in the circumstances; and subsections (3) to (5) of section 43 shall have effect in relation to any proposals accordingly formulated by the Minister as if any reference in those subsections to the river authority were a reference to the Minister and as if the form of notice required by subsection (3) were such as the Minister may determine.

(3) Section 43(6) to (8) shall not apply, and section 44 shall have effect with the necessary modifications in relation to any proposals by the Minister to which this regulation relates as if—

(a) subsection (1) required the Minister (before deciding whether to revoke or vary the licence) to consider any objection duly made to him by the river authority holding the licence and any representations in writing relating to the proposals received by him within the time allowed by the relevant notice given under section 43(3);

- (b) subsection (2) were expressed to apply only where an objection to the proposals had been duly made by the river authority holding the licence;
 - (c) in subsection (3) all the words following the words “ shall be final ” were omitted; and
 - (d) subsection (5) provided that in determining whether to vary the licence in accordance with his proposals, or in any other way with the consent of the river authority holding the licence, the Minister should consider whether any such variation would involve derogation from protected rights,
- and as if the section enabled the Minister to revoke or vary the licence as he may thereunder determine.

Further modifications of Part IV of the Act for purposes of two last preceding regulations

15.—(1) Section 46 of the Act shall not apply in relation to the revocation or variation by the Minister of a licence held by a river authority, being a licence to which this part of the regulations relates.

(2) Section 47 of the Act shall have effect, in the case of an application to the Minister thereunder for the revocation or variation of such a licence, as if subsection (3) provided for the service of a notice (in a form adapted from the form of notice prescribed for use under the section in relation to licences generally) on the river authority holding the licence and for the making of representations by that authority, and as if the reference in subsection (5) to subsections (2) and (3) of section 44 were a reference to those provisions as they have effect by virtue of this part of the regulations.

(3) Section 50 of the Act shall have effect in relation to the grant or variation of a river authority’s licence in accordance with any provision of this part of the regulations as if that section provided—

- (a) that where a licence is or is deemed to be granted or varied by the Minister in pursuance of proposals deposited by a river authority, then, except to the extent specified in the next following sub-paragraph, the river authority shall be treated as having granted or, as the case may be, varied the licence on their own account in circumstances in which section 29(2) of the Act applied; and
- (b) that where a licence is varied by the Minister otherwise than in pursuance of proposals deposited by a river authority, or where and to the extent that a licence granted or varied by the Minister on an application by a river authority departs in a material respect from the relevant proposals of the authority, the river authority shall be treated as having varied or, as the case may be, granted the licence on the direction of the Minister,

and section 51 of the Act shall have effect accordingly.

Certain applications by the British Waterways Board

16.—(1) This regulation shall apply in relation to any application by the British Waterways Board (hereinafter referred to as “ the Board ”) for a licence to abstract water from an inland water owned or managed by the Board to which section 131 of the Act applies, being either—

- (a) an application for a licence of right in pursuance of section 33(1)(a) of the Act, for the purpose of fulfilling such a contract for the sale of water by the Board as is mentioned in section 131(3) of the Act; or

(b) an application for the grant of a licence in accordance with the provisions of section 131(4) of the Act.

(2) The application shall be made in writing to the river authority for the area where the abstraction is to take place, addressed to the Clerk, at the river authority's principal office (or otherwise as the authority may direct), and shall include such of the particulars prescribed in Schedule 1 to these regulations, and therein required in the model form of application designated for such applications by the Board, as are material to the application.

(3) The application shall be accompanied by a copy of the material provisions of the relevant contract for the sale of water by the Board, and, if it is an application falling within paragraph (1)(a) of this regulation, paragraphs (3), (4) and (6) of regulation 7 shall have effect in relation thereto, and, if it is an application falling within paragraph (1)(b) of this regulation, it shall be accompanied by a copy of any relevant consent given by the Minister of Transport under section 63 of the Transport Act 1962(a).

(4) Save as expressly provided by the last preceding paragraph, the provisions of regulations 5 to 8 shall not apply in relation to any application to which this regulation applies.

PART IV

MISCELLANEOUS

Register of applications and licences

17.—(1) The register which, by virtue of section 53 of the Act, is required to be kept by a river authority and to be available for inspection by the public at all reasonable hours shall contain the following information with respect to every application made to the river authority for the grant, revocation or variation of a licence under the Act, namely:—

- (a) the name and address of the applicant, the date of the application and brief particulars of its proposals;
- (b) the decision, if any, of the river authority, the date of that decision and brief particulars (including the serial number) of any licence granted, or revocation or variation effected, by virtue of that decision;
- (c) the decision, if any, of the Minister (whether on the reference of the application to him or on appeal from the river authority), the date of the Minister's decision and brief particulars of any licence directed to be granted (and the serial number of such licence when granted), or of any revocation or variation directed to be effected, in pursuance of that decision;
- (d) the date of the compliance by the river authority with any direction of the Minister to grant, revoke or vary a licence.

(2) The register shall also contain with respect to every application for the

(a) 10 & 11 Eliz. 2. c. 46.

grant, revocation or variation of a licence under the Act, made by the river authority to the Minister in accordance with the regulations under section 52 of the Act contained in Part III of these regulations, and with respect to any licence granted, deemed to be granted, revoked or varied in accordance with those regulations, the following information, namely:—

- (a) the date of the application and brief particulars of its proposals;
- (b) the date of the decision of the Minister on the application and brief particulars (including the serial number) of any licence granted, or any variation effected, by the Minister;
- (c) if the application is deemed to be granted in accordance with the regulations, the date on which it is so deemed to be granted and brief particulars of any licence (including the serial number) or variation thereupon granted or effected.

(3) The register shall also contain, with respect to any person who by virtue of the provisions of section 32(1) or (5) of the Act, or of regulations under section 32(3) thereof, becomes the holder of a licence on succeeding to the occupation of land occupied by the previous licence holder or on transfer of the licence under section 32(5), the following information, namely:—

that person's name and address, the serial number of the licence and the date on which he notified the river authority of the change in the occupation of the relevant land, or of the transfer of the licence, as the case may be.

(4) The register shall include an index, which shall be in the form of a map unless the Minister approves some other form, for enabling a person to trace any entry in the register.

(5) Every entry in the register with respect to an application made after 30th June 1965, or to a decision on any application, shall be made within 14 days from the date of receipt of the application or of the issue of the decision, and every such entry with respect to an application made before 1st July 1965 shall be made within 28 days from the date of receipt of the application.

(6) The register shall be kept at the principal office of the river authority.

Proposals by river authority for revocation or variation of a licence

18. The notice which is required by section 43(3) of the Act to be served and published with respect to any proposals for revoking or varying a licence, formulated by a river authority under that section, shall be in the form of the notice prescribed for this purpose in Schedule 2 to these regulations (and therein numbered N5), or in a form substantially to the like effect.

Application by owner of fishing rights for revocation or variation of a licence

19. The notice which is required by section 47(3) of the Act to be served with respect to an application made to the Minister by an owner of fishing rights under that section for the revocation or variation of a licence to abstract water from an inland water, shall be in the form of the notice prescribed for this purpose in Schedule 2 to these regulations (and therein numbered N6), or in a form substantially to the like effect.

SCHEDULE 1

PARTICULARS TO BE INCLUDED IN APPLICATIONS

Model Form 1

WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE (OTHER THAN A LICENCE OF RIGHT) TO ABSTRACT WATER FROM AN INLAND WATER

APPLICANT

- 1. Name of applicant (in BLOCK LETTERS)
- 2. Address of applicant to which communications about this application are to be sent
- 3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent

INLAND WATER TO WHICH THIS APPLICATION RELATES

- 4. Give the name of, or sufficient description to identify, the inland water (*see note (a)*) from which you propose the licence should authorise the abstraction (*see note (b)*) of water

POINTS OF ABSTRACTION TO WHICH THIS APPLICATION RELATES AND CLAIM TO BE ENTITLED TO MAKE THE APPLICATION (*see note (c)*)

- 5. In Table I below—
 - (a) in column (1), enter the reference number, as shown on the map (*see note (d)*) accompanying this application, of each of the points at which you propose the licence should authorise abstraction from the inland water referred to in paragraph 4 above;
 - (b) to show how you claim to be entitled (*see note (e)*) to make this application for a licence to abstract water at each point referred to in column (1)—
 - (i) in column (2), opposite the reference number of that point, enter—

“ occupier ”,	if you are the occupier of land contiguous (<i>see note (f)</i>) to the inland water at that point; or
“ potential occupier ”,	if you have entered into negotiations to acquire an interest which will entitle you to occupy such land; or
“ right of access ”,	if you have a right of access to such land; or
“ potential right of access ”,	if you expect to have a right of access to such land; and
 - (ii) in column (3), specify the land (by reference to the map accompanying this application) (*see note (g)*); and
 - (iii) in column (4), opposite each entry in column (3) which is “ potential occupier ” or “ potential right of access ”, specify the date upon which you expect to acquire the interest in, or the right of access to, the land.

TABLE I

Map ref. no. of point (1)	Occupation or access (2)	Contiguous land (3)	Expected date of acquisition of interest or right of access (4)

PROPOSED MEANS OF ABSTRACTION AND METHODS OF MEASURING

6. In Table II below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table I above;
- (b) in column (2), specify the works (if any), and in columns (3) and (4) specify the type and capacity of the machinery or apparatus, by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in column (5), specify the way in which you propose the licence should require the quantities of water abstracted at each point referred to in column (1) to be measured or assessed.

TABLE II

Map ref. no. of point (1)	Means of abstraction			Method of measuring or assessing quantities abstracted (5)
	Work (2)	Machinery or apparatus		
		Type (3)	Capacity (in thousand gallons per hour) (4)	

WATER REQUIRED AND LAND ON WHICH AND PURPOSES FOR WHICH IT IS TO BE USED

Note:—If so desired, map reference numbers may be bracketed together in column (1) of Table III below for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction (see note (h)).

7. In Table III below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table I above;
- (b) in the remaining columns, specify under the appropriate headings the quantities of water you propose the licence should authorise to be abstracted at each point referred to in column (1) in the various

periods, and the land (*see note (i)*) on which, and the purposes (*see note (j)*) for which, you propose the licence should authorise water abstracted at each point to be used, showing which quantity relates to which period, purpose and land, etc. (*see note (k)*).

TABLE III

Map ref. no. of point (1)	Maximum quantity (in thousand gallons)			Period (e.g. Nov.-Feb., any period of . . . consecutive days in March-May, etc.) (5)	Purpose (6)	Land (7)
	per year or other period specified in col. 5 (2)	per day (3)	per hour (4)			

SPRAY IRRIGATION

8. If the purposes specified in column (6) of Table III above consist of or include spray irrigation—

(a) in Table IV below—

- (i) in column (1), specify each crop you propose to irrigate;
- (ii) if you propose to irrigate any crop during a particular period or periods of the year, specify the period(s) in column (2);
- (iii) in column (3), specify the acreage of each crop;
- (iv) in column (4), specify the maximum number of inches of water you propose to apply to an acre of that crop annually or, if any period is specified in column (2), in that period; and

(b) specify the maximum number of acres you propose to irrigate daily

TABLE IV

Crop (1)	Period (e.g. April-June, any period of . . . consecu- tive days in March-May, etc.) (2)	Acreage (3)	Maximum no. of inches to be applied per acre per year or period (4)

DISCHARGE OF WATER AFTER USE (*see note (l)*)

9. In Table V below—

(a) if you propose to discharge water after it has been used for any pur-

pose specified in column (6) of Table III above, specify that purpose in column (1);

(b) in column (2), enter the approximate proportion of any quantity of water used for that purpose that is likely to be discharged after use;

(c) in column (3), opposite each entry in column (2), specify the point of discharge, e.g., where the water will enter an inland water (giving the name of, or sufficient description to identify, the inland water), where it will enter a public sewer (giving the name of the sewerage authority), where a soakaway will discharge, etc.

TABLE V

Purpose (1)	Approximate proportion (2)	Point of discharge (3)

POINTS OF ABSTRACTION TO BE USED IN CONJUNCTION

Note:—You need not make any entries in Table VI below unless you wish to use any of the points of abstraction referred to in Table I above in conjunction with points of abstraction not referred to in that Table.

10. In Table VI below—

(a) in column (1), describe (if practicable, by reference either to the map accompanying this application or to the relevant licence under the Act or to the relevant application for a licence) the location of each point of abstraction which you wish to use in conjunction with the points of abstraction referred to in Table I above (whether simultaneously or as an alternative or otherwise);

(b) in column (2), give the name of, or sufficient description to identify, the inland water or underground strata (*see note (m)*) (e.g. Chalk, Lower Greensand, etc.), from which you are abstracting or propose to abstract water at that point;

(c) in column (3), specify the serial number of the licence under the Act (if any) which authorises the abstraction of water at that point or the date of your application (if any) for such a licence.

TABLE VI

Point of abstraction (1)	Inland water or underground strata (2)	Serial no. of licence or date of application (3)

OTHER MATTERS

11. Have you asked any water undertakers for a supply of water for any of the purposes specified in column (6) of Table III above (*see note (n)*)?.....
If so, state when, which purposes, and with what result.....
.....
.....

12. Is the licence required only for a limited period? If so, for how long?

13. Give details of any other matters which you wish the River Authority to take into account in considering this application (e.g. the facilities which will be available on your land for storing water abstracted under the licence, how the maximum use is made of existing supplies, the extent to which water abstracted under the licence will be re-used, matters to which you have had regard in formulating your proposals in this application, the reasons for your proposals as to quantities, etc.)

FORMAL APPLICATION

I hereby apply to the River Authority for a licence under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, and I declare that to the best of my knowledge the statements made above are true.

I enclose with this application copies of the newspaper(s) dated and in which the notice in the form prescribed by the Water Resources (Licences) Regulations 1965 was published. I declare that the notice was also published in the London Gazette dated and that a copy of the notice was served on on the following authorities in accordance with section 28(1)(b) of the above-mentioned Act (*see notes (c) and (o)*):—

I also enclose the map required by the above-mentioned Regulations of 1965.

I *[also enclose] [can produce] the following evidence for the purpose of satisfying the River Authority that I am entitled to apply for a licence to abstract at the points of abstraction to which this application relates:—

Signed.....

*[Authorised on behalf of]

Date.....

* *Delete where inappropriate.*

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

- (a) For the meaning of "inland water", see section 135(1) of the Act. (Section 2 is also relevant.)
- (b) For the meaning of "abstraction", see section 135(1) of the Act.
- (c) The British Waterways Board applying for a licence in respect of abstraction from an inland water to which section 131 of the Act applies need not make any entries in column (2), (3) and (4) of Table I, or make the declaration in the FORMAL APPLICATION about service.
- (d) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.
- (e) See section 27 of the Act and the above-mentioned Regulations of 1965.
- (f) For the meaning of "contiguous", see section 135(7) of the Act.
- (g) E.g. "the land coloured blue on the map".
- (h) If so desired, entries in columns (3) and (4) of Table III may be omitted. Attention is, however, drawn to sections 29(8)(a) and 30 of the Act under which it will be open to the River Authority to specify a quantity in respect of each point of abstraction and to lay down maximum quantities for any specified period (e.g. weekly, daily, hourly) if they see fit to do so.
- (i) E.g. "the land hatched black on the map".
- (j) Purposes should be described as follows:—
water undertaking
spray irrigation
cooling purposes
use in a process of manufacture (other than for cooling purposes)
use as means of conveying any material as a slurry or otherwise
other uses (briefly described), e.g. agriculture or horticulture, other than spray irrigation.
- (k) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking should enter "water undertaking" in column (6) but need not make any entries in column (7) of Table III.
- (l) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking need not make any entries in Table V.
- (m) For the meaning of "underground strata", see section 135(1) of the Act.
- (n) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking need not answer this question.
- (o) Certain of the authorities mentioned in section 28(1)(b) of the Act are defined in section 135(1).

Model Form 2

WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE (OTHER THAN A LICENCE OF RIGHT) TO ABSTRACT WATER FROM UNDERGROUND STRATA APPLICANT

1. Name of applicant (in BLOCK LETTERS)
2. Address of applicant to which communications about this application are to be sent
3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent

UNDERGROUND STRATA AND POINTS OF ABSTRACTION TO WHICH THIS APPLICATION RELATES AND CLAIM TO BE ENTITLED TO MAKE THE APPLICATION

4. In Table I below—

- (a) in column (1), enter the reference number, as shown on the map (*see note (a)*) accompanying this application, of each of the points at which you propose the licence should authorise the abstraction (*see note (b)*) of water;
- (b) in column (2), describe the underground strata (*see note (c)*) (e.g. Chalk, Lower Greensand, etc.) from which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) to show how you claim to be entitled (*see note (d)*) to make this application to abstract water from the underground strata specified in column (2)—
 - (i) in column (3), opposite each point of abstraction referred to in column (1), enter—
 - “ occupier ”, if you are the occupier of land consisting of or comprising the underground strata from which you propose the licence should authorise abstraction at that point; or
 - “ potential occupier ”, if you have entered into negotiations to acquire an interest which will entitle you to occupy such land;
 - (ii) in column (4), specify (by reference to the map accompanying this application) (*see note (e)*) the situation of the land;
 - (iii) in column (5), opposite each entry in column (3) which is “ potential occupier ”, specify the date upon which you expect to acquire the interest in the land.

TABLE I

Map ref. no. of point (1)	Underground strata (2)	Occupier or potential occupier (3)	Land consisting of or comprising underground strata (4)	Expected date of acquisition of interest (5)

PROPOSED MEANS OF ABSTRACTION AND METHODS OF MEASURING

5. In Table II below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table I above;
- (b) in column (2), specify the work (e.g. well, borehole, extension of an existing borehole, catchpit, etc.) by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in respect of each work specified in column (2)—
 - (i) specify the depth (*see note (f)*) of the work in column (3);
 - (ii) specify the diameter of the work in column (4);
 - (iii) describe in column (5) how, if at all, the work is or will be lined.

TABLE II

Map ref. no. of point (1)	Work			
	Description (2)	Depth (3)	Diameter (4)	Lining (5)

6. Indicate which work (if any) specified in column (2) of Table II above is artesian, and describe how overflow and leakage will be prevented

7. Indicate which work (if any) specified in column (2) of Table II above includes headings or adits, and specify the point of communication, length, diameter and orientation of each heading or adit.....

8. In Table III below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table I above;
- (b) in columns (2) and (3), specify the type and capacity of the machinery or apparatus by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in column (4), describe the way in which you propose the licence should require the quantities of water abstracted at each point referred to in column (1) to be measured or assessed.

TABLE III

Map ref. no. of point (1)	Machinery or apparatus		Method of measuring or assessing quantities abstracted (4)
	Type (2)	Capacity (in thousand gallons per hour) (3)	

WATER REQUIRED AND LAND ON WHICH AND PURPOSES FOR WHICH IT IS TO BE USED

Note:—If so desired, map reference numbers may be bracketed together in column (1) of Table IV below for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction (see note (g)).

9. In Table IV below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table I above;
- (b) in the remaining columns, specify under the appropriate headings the quantities of water you propose the licence should authorise to be abstracted at each point referred to in column (1) in the various periods, and the land (*see note (h)*) on which, and the purposes (*see note (i)*) for which, you propose the licence should authorise water abstracted at each point to be used, showing which quantity relates to which period, purpose and land, etc. (*see note (j)*).

TABLE IV

Map ref. no. of point (1)	Maximum quantity (in thousand gallons)			Period (e.g. Nov.–Feb., any period of .. consecutive days in March–May, etc.) (5)	Purpose (6)	Land (7)
	per year or other period specified in col. 5 (2)	per day (3)	per hour (4)			

SPRAY IRRIGATION

10. If the purposes specified in column (6) of Table IV above consist of or include spray irrigation—

- (a) in Table V below—
 - (i) in column (1), specify each crop you propose to irrigate;
 - (ii) if you propose to irrigate any crop during a particular period or periods of the year, specify the period(s) in column (2);
 - (iii) in column (3), specify the acreage of each crop;
 - (iv) in column (4), specify the maximum number of inches of water you propose to apply to an acre of that crop annually or, if any period is specified in column (2), in that period; and
- (b) specify the maximum number of acres you propose to irrigate daily

TABLE V

Crop (1)	Period (e.g. April–June, any period of .. consecu- tive days in March–May, etc.) (2)	Acreage (3)	Maximum no. of inches to be applied per acre per year or period (4)

DISCHARGE OF WATER AFTER USE (*see note (k)*)

11. In Table VI below—

- (a) if you propose to discharge water after it has been used for any purpose specified in column (6) of Table IV above, specify that purpose in column (1);
- (b) in column (2), enter the approximate proportion of any quantity of water used for that purpose that is likely to be discharged after use;
- (c) in column (3), opposite each entry in column (2), specify the point of discharge, e.g., where the water will enter an inland water (giving the name of, or sufficient description to identify, the inland water), where it will enter a public sewer (giving the name of the sewerage authority), where a soakaway will discharge, etc.

TABLE VI

Purpose (1)	Approximate proportion (2)	Point of discharge (3)

POINTS OF ABSTRACTION TO BE USED IN CONJUNCTION

Note:—You need not make any entries in Table VII below unless you wish to use any of the points of abstraction referred to in Table I above in conjunction with points of abstraction not referred to in that Table.

12. In Table VII below—

- (a) in column (1), describe (if practicable, by reference either to the map accompanying this application or to the relevant licence under the Act or to the relevant application for a licence) the location of each point of abstraction which you wish to use in conjunction with the points of abstraction referred to in Table I above (whether simultaneously or as an alternative or otherwise);
- (b) in column (2), give the name of, or sufficient description to identify, the inland water (*see note (l)*) or underground strata from which you are abstracting or propose to abstract water at that point;
- (c) in column (3), specify the serial number of the licence under the Act (if any) which authorises the abstraction of water at that point or the date of your application (if any) for such a licence.

TABLE VII

Point of abstraction (1)	Inland water or underground strata (2)	Serial no. of licence or date of application (3)

OTHER MATTERS

13. Have you asked any water undertakers for a supply of water for any of the purposes specified in column (6) of Table IV above (see note (m))? If so, state when, which purposes, and with what result

14. Is the licence required only for a limited period? If so, for how long?

15. Give details of any other matters which you wish the River Authority to take into account in considering this application (e.g. the facilities which will be available on your land for storing water abstracted under the licence, how the maximum use is made of existing supplies, the extent to which water abstracted under the licence will be re-used, matters to which you have had regard in formulating your proposals in this application, the reasons for your proposals as to quantities, etc.)

FORMAL APPLICATION

I hereby apply to the River Authority for a licence under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, and I declare that to the best of my knowledge the statements made above are true.

I enclose with this application copies of the newspaper(s) dated and in which the notice in the form prescribed by the Water Resources (Licences) Regulations 1965 was published. I declare that the notice was also published in the London Gazette dated

I also enclose the map required by the above-mentioned Regulations of 1965.

I *[also enclose] [can produce] the following evidence for the purpose of satisfying the River Authority that I am entitled to apply for a licence to abstract from the underground strata to which this application relates:—

.....
.....
.....
.....
.....

Signed.....

* [Authorised on behalf of.....]

Date.....

* Delete where inappropriate.

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

- (a) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.
- (b) For the meaning of “abstraction”, see section 135(1) of the Act.
- (c) For the meaning of “underground strata”, see section 135(1) of the Act.
- (d) See section 27 of the Act and the above-mentioned Regulations of 1965.
- (e) E.g. “the land coloured blue on the map”.
- (f) The depth should be inserted only after competent technical advice has been obtained, since a further application may be necessary if, when the work is under construction, it is found necessary to increase the depth beyond the figure stated.
- (g) If so desired, entries in columns (3) and (4) of Table IV may be omitted. Attention is, however, drawn to sections 29(8)(a) and 30 of the Act under which it will be open to the River Authority to specify a quantity in respect of each point of abstraction and to lay down maximum quantities for any specified period (e.g. weekly, daily, hourly) if they see fit to do so.
- (h) E.g. “the land hatched black on the map”.
- (i) Purposes should be described as follows:—
 - water undertaking
 - spray irrigation
 - cooling purposes
 - use in a process of manufacture (other than for cooling purposes)
 - use as a means of conveying any material as a slurry or otherwise
 - other uses (briefly described), e.g. agriculture or horticulture, other than spray irrigation.
- (j) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking should enter “water undertaking” in column (6) but need not make any entries in column (7) of Table IV.
- (k) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking need not make any entries in Table VI.
- (l) For the meaning of “inland water”, see section 135(1) of the Act. (Section 2 is also relevant.)
- (m) Water undertakers applying for a licence to abstract water for the purposes of their water undertaking need not answer this question.

Model Form 3

WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE UNDER SECTION 36 TO OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS

APPLICANT

1. Name of applicant (in **BLOCK LETTERS**)
2. Address of applicant to which communications about this application are to be sent

3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent

INLAND WATER TO WHICH APPLICATION RELATES

4. Give the name of, or sufficient description to identify, the inland water (*see note (a)*) the flow of which will be obstructed or impeded by means of the impounding works you propose to construct or alter

EXISTING LICENCE

5. If a licence under section 36 of the Act is in force, authorising impounding works at the point at which you propose to construct works or at which the works you propose to alter are situated, give the serial number of that licence

IMPOUNDING WORKS TO BE CONSTRUCTED OR ALTERED

6. Give a brief description (with plans and sections) of the impounding works (*see note (b)*) you propose to construct or, if you propose to alter existing impounding works, give a brief description (with plans and sections) of the existing works and of the proposed alterations, sufficient to show the manner in which the works, when constructed or altered in accordance with your proposals, will obstruct or impede the flow of the inland water

WORKS FOR IMPOUNDING WATER

7. If you propose to construct or alter a dam, weir or other works whereby water may be impounded—

- (a) state the object(s) of impounding water by means of the works (e.g. the provision of a reservoir as a source of supply, the provision of a reservoir as an ornamental lake, the provision of a reservoir for regulating the flow of the inland water referred to in paragraph 4 above or of some other inland water, giving the name of, or sufficient description to identify, that other inland water)
- (b) state, by reference to height above Ordnance Datum (Newlyn), what the overflow level of the reservoir will be if the works are constructed or altered in the manner you propose
- (c) state what capacity the reservoir will have at overflow level if the works are constructed or altered in the manner you propose
- (d) if the reservoir will be used as a source of supply, specify the maximum quantity of water which will be required to be abstracted per year
- (e) if water will be discharged from the reservoir downstream, or into the other inland water (if any) referred to in sub-paragraph (a) above,

whether to supplement the flow for the purposes of river regulation or to provide compensation water, and if the water will be so discharged with a view to maintaining a specified minimum flow or flows at a specified control point or points—

- (i) specify (by reference to the map accompanying this application) (*see note (c)*) the point(s) at which the water will be discharged into the inland water
- (ii) specify (by reference to the map accompanying this application) the control point(s) at which the flow(s) will be required to be maintained
- (iii) specify the flow which will be required to be maintained at each control point
- (iv) specify the method which will be used for measuring the flow at each control point
- (v) state how you estimate that, if the works are constructed or altered in the manner you propose, the reservoir will be capable of yielding not only the quantities of water required to be discharged to maintain the specified minimum flow(s) at the specified control point(s) but also (where the reservoir will be used as a source of supply) the maximum quantity you have specified in sub-paragraph (*d*) above (*see note (d)*)

WORKS FOR DIVERTING THE FLOW

8. If you propose to construct or alter works for diverting the flow of the inland water in connection with the construction or alteration of a dam, weir or other works whereby water may be impounded, state how you estimate that the works, if constructed or altered in the manner you propose, will be capable of diverting the flow to the required extent

FORMAL APPLICATION (*see note (e)*)

I hereby apply to theRiver Authority for a licence under the Water Resources Act 1963 to obstruct or impede the flow of the inland water referred to in paragraph 4 above by means of impounding works, and I declare that to the best of my knowledge the statements made above are true.

I enclose with this application copies of the newspaper(s) dated and in which the notice in the form prescribed by the Water Resources (Licences) Regulations 1965 was published. I declare that the notice was also published in the London Gazette dated and that a copy of the notice was served onon the following authorities in accordance with section

28(1)(b) of the above-mentioned Act (see note (f))
.....
.....

I also enclose the map required by the above-mentioned Regulations of 1965.

Signed.....

*[Authorised on behalf of.....]

Date.....

** Delete where inappropriate.*

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

- (a) For the meaning of "inland water", see section 135(1) of the Act. (Section 2 is also relevant.)
- (b) For the meaning of "impounding works", see section 36(6) of the Act.
- (c) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.
- (d) All relevant statistics should be given, including gaugings and rainfall figures.
- (e) In the case of an application for a combined licence to obstruct or impede the flow of an inland water and to abstract, the FORMAL APPLICATION should be adapted as necessary, and should include such additional statements as to documents or evidence enclosed or to be produced as are appropriate to an application for a separate licence to abstract and relevant to the case.
- (f) Certain of the authorities mentioned in section 28(1)(b) of the Act are defined in section 135(1).

Model Form 4

This application must be submitted to the River Authority before 1st July 1965
WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE OF RIGHT MADE UNDER
SECTION 33 IN RELIANCE ON A STATUTORY PROVISION

PART A—GENERAL

APPLICANT

- 1. Name of applicant (in BLOCK LETTERS)
- 2. Address of applicant to which communications about this application are to be sent
- 3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent

RELEVANT STATUTORY PROVISION

4. Identify (*see note (a)*) the statutory provision (*see note (b)*) in force on 1st April 1965 by virtue of which you claim to be entitled to abstract (*see note (c)*) water from the source of supply (*see note (d)*) to which this application relates

SOURCE OF SUPPLY TO WHICH APPLICATION RELATES

5. (a) If you claim to be entitled to a licence of right to abstract water from an inland water (*see note (e)*), give the name of, or sufficient description to identify, that water
- (b) If you claim to be entitled to a licence of right to abstract water from underground strata (*see note (f)*), in Table I below—
- (i) in column (1), enter the reference number, as shown on the map (*see note (g)*) accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water;
 - (ii) in column (2), give the description (e.g. Chalk, Lower Greensand, etc.), or such particulars as you are able to obtain for the purposes of this application, of the underground strata from which you propose the licence should authorise abstraction at each point referred to in column (1).

TABLE I

Map ref. no. of point (1)	Underground strata (2)

PART B—PROPOSALS AS TO MATTERS TO BE SPECIFIED IN THE LICENCE (*see note (h)*)

POINTS AND MEANS OF ABSTRACTION AND METHODS OF MEASURING

6. In Table II below—
- (a) in column (1), enter the reference number, as shown on the map accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water from the source of supply to which this application relates;
 - (b) in column (2), specify the work (if any) (e.g. well, borehole, catchpit, etc.) by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
 - (c) if the source of supply to which this application relates is underground strata—
 - (i) specify in columns (3) and (4) the depth and diameter of each work specified in column (2); and
 - (ii) describe in column (5) how, if at all, the work is or will be lined.

TABLE II

Map ref. no. of point (1)	Work			
	Description (2)	Depth (3)	Diameter (4)	Lining (5)

7. Indicate which underground work (if any) specified in column (2) of Table II above is artesian, and describe how overflow and leakage will be prevented

8. Indicate which underground work (if any) specified in column (2) of Table II above includes headings or adits, and specify the point of communication, length, diameter and orientation of each heading or adit

9. In Table III below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table II;
- (b) in column (2), specify the machinery or apparatus by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in column (3), describe the way in which you propose the licence should require the quantities of water abstracted at each point referred to in column (1) to be measured or assessed.

TABLE III

Map ref. no. of point (1)	Machinery or apparatus (2)	Method of measuring or assessing quantities of water abstracted (3)

QUANTITIES OF WATER AND LAND ON WHICH AND PURPOSES FOR WHICH IT IS TO BE USED

10. In Table IV below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table II above;

(b) in the remaining columns, specify under the appropriate headings the quantities of water you propose the licence should authorise to be abstracted at each point referred to in column (1) in the various periods, and the land (*see note (i)*) on which, and the purposes (*see note (j)*) for which, you propose the licence should authorise water abstracted at each point to be used, showing which quantity relates to which period, purpose and land, etc. (*see note (k)*).

TABLE IV

Map ref. no. of point	Maximum quantity (in thousand gallons)			Period (e.g. Nov.-Feb., any period of .. consecutive days in March-May, etc.)	Purpose	Land
	per year or other period specified in col. (5)	per day	per hour			
(1)	(2)	(3)	(4)	(5)	(6)	(7)

PART C—MATTERS AFFECTING THE QUANTITIES OF WATER TO BE SPECIFIED IN THE LICENCE (*see note (l)*)

Note:—Part C does not apply if the relevant statutory provision specifies or otherwise limits the quantity of water authorised to be abstracted.

QUANTITIES OF WATER ABSTRACTED IN RELEVANT PERIOD AND PERIODS OF ABSTRACTION

11. (a) On or about what date within the period of 5 years ending with 1st April 1965 did you begin to abstract water by virtue of the relevant statutory provision from the source of supply to which this application relates?
- (b) On or about what date within that period did your predecessors begin to abstract water by virtue of the relevant statutory provision from that source of supply?
- (c) In Table V below, in respect of each year referred to in column (1) during which you or your predecessors abstracted water by virtue of the relevant statutory provision from that source of supply—
 - (i) specify in column (2) the total quantity, and in columns (3) and (4) the maximum daily and hourly quantities, abstracted (otherwise than on special occasions when, by reason of accident or other emergency, there was a temporary deficiency of water from other sources of supply) in that year by virtue of the relevant statutory provision (*see note (m)*);

- (ii) if abstraction in that year was seasonal, specify in column (5) the period(s) during which water was abstracted;
- (iii) if water was abstracted in that year on special occasions as aforesaid, specify in column (6) the total quantity, and in columns (7) and (8) the maximum daily and hourly quantities, so abstracted (see note (m)).

TABLE V

Note:—Prefix any estimated quantity by the letter “ E ” (see note (n))

Year ending with 1st April (1)	Quantity abstracted (in thousand gallons)			Period(s) (5)	Quantity abstracted (in thousand gallons) on special occasions		
	Total in year (2)	Max. per day (3)	Max. per hour (4)		Total in year (6)	Max. per day (7)	Max. per hour (8)
1961							
1962							
1963							
1964							
1965							

ABSTRACTIONS INTENDED ON SPECIAL OCCASIONS (see note (o))

12. If at any point of abstraction referred to in Table II above you intend to abstract water on special occasions when, by reason of accident or other emergency, there may be temporary deficiency of water from other sources of supply,—

- (a) in column (1) in Table VI below, enter the map reference number of that point;
- (b) in columns (2), (3) and (4), specify the maximum annual, daily and hourly quantities you anticipate will be so abstracted at that point.

TABLE VI

Map ref. no. of point (1)	Maximum quantity (in thousand gallons)		
	per year (2)	per day (3)	per hour (4)

WORKS ETC. PROVIDED IN ANTICIPATION OF FUTURE REQUIRMENTS

13. If you wish to claim that any work, machinery or apparatus authorised by the relevant statutory provision and specified in Table II or III above was provided by you or your predecessors in anticipation of future requirements, explain the extent to which it was so provided

.....

.....

.....

CAPACITY OF WORKS ETC. PROVIDED OR BEING PROVIDED, OR AUTHORISED

14. Give particulars of the works, machinery or apparatus falling within section 34(5) of the Act (*see note (p)*) and of the quantity of water you claim is capable of being abstracted by means of them

.....

.....

.....

.....

PART D—OTHER MATTERS

15. State any other matters which you wish the River Authority to take into account in considering this application.....

.....

.....

PART E—FORMAL APPLICATION

I hereby apply to the River Authority for a licence of right under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, being a licence to which I claim to be entitled by virtue of section 33(1)(a) of the Act, and I declare that to the best of my knowledge the statements made above are true.

I enclose the map required by the Water Resources (Licences) Regulations 1965.

*[I also enclose [[a true copy of] the licence under section 14 of the Water Act 1954] [a copy of the statutory provision] on which I rely.]

* [For the following reasons, I cannot enclose the licence (or a copy) under section 14 of the Water Act 1945 on which I rely:—

.....

.....

Accordingly, I enclose the following evidence of the grant of that licence and of its terms:—

.....

.....]

I also enclose the following evidence, as required by the above-mentioned regulations of 1965, for the purpose of satisfying the River Authority as respects the matters referred to in Part C above:—

.....

.....

[The name(s) and address(es) of my predecessor(s) who abstracted water during the relevant period (is) (are) as follows (*see note (q)*)
.....
.....
.....]

Signed.....

*[Authorised on behalf of]

Date.....

* *Delete where inappropriate.*

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

(a) Give the appropriate references, e.g. date and serial number of licence under section 14 of the Water Act 1945, title of Act or Order and numbers of relevant sections or paragraphs, etc.

(b) For the meaning of “statutory provision”, see section 135(1) of the Act.

(c) For the meaning of “abstract”, see section 135(1) of the Act.

(d) For the meaning of “source of supply”, see section 2 of the Act.

(e) For the meaning of “inland water”, see section 135(1) of that Act. (Section 2 is also relevant.)

(f) For the meaning of “underground strata”, see section 135(1) of the Act.

(g) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.

(h) The provisions of the licence proposed in Part B of the form should correspond as nearly as may be to the provisions of the relevant statutory provision (and may be expressed by reference to that statutory provision) so far as those provisions relate to the subject-matter of the proposals. If the relevant statutory provision does not specify or otherwise limit the quantity of water authorised to be abstracted, the proposals as to quantities should be formulated having regard to the particulars given in Part C. (*See section 34 of the Act.*) If so desired, and if not inconsistent with the relevant statutory provision, map reference numbers may be bracketed together in column (1) of Table IV for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction, and entries in columns (3) and (4) may be omitted.

(i) E.g. “the land coloured blue on the map”.

(j) Purposes should be described as follows:—

water undertaking

spray irrigation

cooling purposes

use in a process of manufacture (other than for cooling purposes)

use as a means of conveying any material as a slurry or otherwise

other uses (briefly described), e.g. agriculture or horticulture, other than spray irrigation.

(k) Water undertakers applying for a licence to abstract for the purposes of their water undertaking should enter “water undertaking” in column (6) but need not make any entries in column (7) of Table IV.

(l) Part C of the form relates to the matters which must be proved to the reasonable satisfaction of the River Authority if they are to be taken into account by the Authority in determining the quantities of water to be specified in the licence in a case where the relevant statutory provision does not specify or otherwise limit the quantity of water authorised to be abstracted. (See section 34 of the Act.)

(m) In specifying the quantities abstracted in Table V, no account should be taken of any water abstracted in contravention of section 14(5) of the Water Act 1945 (which restricts the abstraction of underground water in certain areas).

(n) In the absence of reliable evidence of the quantities in fact abstracted, estimated quantities should be specified in Table V. Any estimated quantity so specified must be prefixed by the letter "E" and the evidence tendered to the River Authority for the purpose of proving matters referred to in Part C (see note (l) above) should include a statement of how the estimate was made.

(o) If so desired, map reference numbers may be bracketed together in column (1) of Table VI for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction, and entries in columns (3) and (4) may be omitted.

(p) The works, etc., in question are—

(a) works, machinery or apparatus which were constructed or installed before 1st April 1965, or were in the course of being constructed or installed on that day; and

(b) other works, machinery or apparatus the construction or installation of which was authorised by the relevant statutory provision, not being (in either case) works, machinery or apparatus provided or authorised to be provided for use only in the event of an accident or other emergency involving a total or partial failure of other works, machinery or apparatus.

(q) Delete this paragraph if there were no predecessors who abstracted in the relevant period.

Model Form 5

This application must be submitted to the River Authority before 1st July 1965

WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE OF RIGHT MADE UNDER SECTION

33 IN RELIANCE ON ABSTRACTION WITHIN THE PERIOD OF

5 YEARS ENDING WITH 1st APRIL 1965

PART A—GENERAL

APPLICANT

1. Name of applicant (in BLOCK LETTERS)
2. Address of applicant to which communications about this application are to be sent
3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent

SOURCE OF SUPPLY TO WHICH APPLICATION RELATES (*see note (a)*)

4. (a) if you claim to be entitled to a licence of right to abstract (*see note (b)*) water from an inland water (*see note (c)*), give the name of, or sufficient description to identify, that water
- (b) if you claim to be entitled to a licence of right to abstract water from underground strata (*see note (d)*), in Table I below—
- (i) in column (1), enter the reference number, as shown on the map (*see note (e)*) accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water;
- (ii) in column (2), give the description, (e.g. Chalk, Lower Greensand, etc.), or such particulars as you are able to obtain for the purposes of this application, of the underground strata from which you propose the licence should authorise abstraction at each point referred to in column (1).

TABLE I

Map ref. no. of point (1)	Underground strata (2)

PART B—PROPOSALS AS TO MATTERS TO BE SPECIFIED
IN THE LICENCE

POINTS AND MEANS OF ABSTRACTION AND METHODS OF MEASURING

5. In Table II below—
- (a) in column (1), enter the reference number, as shown on the map accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water from the source of supply to which this application relates;
- (b) in column (2), specify the work (if any) (e.g. well, borehole, catchpit, etc.) by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) if the source of supply to which this application relates is underground strata—
- (i) specify in columns (3) and (4) the depth and diameter of each work specified in column (2); and
- (ii) describe in column (5) how, if at all, the work is or will be lined.

TABLE II

Map ref. no. of point (1)	Work			
	Description (2)	Depth (3)	Diameter (4)	Lining (5)

6. Indicate which underground work (if any) specified in column (2) of Table II above is artesian, and describe how overflow and leakage will be prevented

.....

.....

.....

7. Indicate which underground work (if any) specified in column (2) of Table II above includes headings or adits, and specify the point of communication, length, diameter and orientation of each heading or adit

.....

.....

.....

8. In Table III below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table II;
- (b) in column (2), specify the machinery or apparatus by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in column (3), describe the way in which you propose the licence should require the quantities of water abstracted at each point referred to in column (1) to be measured or assessed.

TABLE III

Map ref. no. of point (1)	Machinery or apparatus (2)	Method of measuring or assessing quantities of water abstracted (3)

QUANTITIES OF WATER AND LAND ON WHICH AND PURPOSES FOR WHICH IT IS TO BE USED (*see note (f)*)

9. In Table IV below—

- (a) in column 1, enter the map reference number of each point of abstraction referred to in Table II above;
- (b) in the remaining columns, specify under the appropriate headings the quantities of water you propose the licence should authorise to be abstracted at each point referred to in column (1) in the various periods, and the land (*see note (g)*) on which, and the purposes (*see note (h)*) for which, you propose the licence should authorise water abstracted at each point to be used, showing which quantity relates to which period, purpose and land, etc. (*see note (i)*).

TABLE IV

Map ref. no. of point	Maximum quantity (in thousand gallons)			Period (e.g. Nov.–Feb., any period of .. days in March–May, etc.)	Purpose	Land
	per year or other period specified in col. (5)	per day	per hour			
(1)	(2)	(3)	(4)	(5)	(6)	(7)

PART C—MATTERS AFFECTING THE QUANTITIES OF WATER TO BE SPECIFIED IN THE LICENCE (*see note (j)*)

QUANTITIES OF WATER ABSTRACTED IN RELEVANT PERIOD, PERIODS OF ABSTRACTION AND LAND ON WHICH AND PURPOSES FOR WHICH IT WAS USED

10. (a) On or about what date within the period of 5 years ending with 1st April 1965 did you begin to abstract water from the source of supply to which this application relates?

(b) On or about what date within that period did your predecessor in title begin to abstract water from that source of supply?

(c) In Table V below, in respect of each year referred to in column (1) during which you or your predecessor in title abstracted water from that source of supply—

- (i) in column (2), specify the purposes (*see note (h)*) for which water abstracted in that year was used, excluding any purposes not specified in Table IV above (*see note (k)*);
- (ii) specify in column (3) the total quantity, and in columns (4) and (5) the maximum daily and hourly quantities, abstracted (otherwise than on special occasions when, by reason of accident or other emergency, there was a temporary deficiency of water from other sources of supply) in that year for use for each purpose specified in column (2) on the land specified in column (6) (*see note (l)*);

- (iii) in column (6), specify (by reference to the map accompanying this application) (*see note (g)*) the land on which water abstracted in that year for use for each purpose specified in column (2) was used, excluding any land not specified in Table IV above (*see note (k)*);
- (iv) if abstraction in that year was seasonal, specify in column (7) the period(s) during which water was abstracted;
- (v) if water was abstracted in that year on special occasions as aforesaid, specify in column (8) the total quantity, and in columns (9) and (10), the maximum daily and hourly quantities, so abstracted (*see note (l)*).

TABLE V

Note:—Prefix any estimated quantity by the letter “E” (see note (m)).

Year ending with 1st April (1)	Purpose(s) (2)	Quantity abstracted (in thousand gallons)			Land (6)	Period(s) (7)	Quantity abstracted (in thousand gallons) on special occasions		
		Total in year (3)	Max. per day (4)	Max. per hour (5)			Total in year (8)	Max. per day (9)	Max. per hour (10)
1961									
1962									
1963									
1964									
1965									

SPRAY IRRIGATION (see note (n))

11. (a) Was water abstracted by you or your predecessor in title from the source of supply to which this application relates before 31st July 1963 for the purpose of spray irrigation?

(b) If the answer to (a) is "No", did you or your predecessor in title begin to construct a reservoir before 31st July 1963 for the storage of water to be abstracted from that source of supply and used for spray irrigation?

(c) If the answer to (b) is "Yes", was that reservoir completed and brought into use for the purpose of spray irrigation before 1st April 1965?

ABSTRACTIONS INTENDED ON SPECIAL OCCASIONS (see note (o))

12. If at any point of abstraction referred to in Table II above you intend to abstract water on special occasions when, by reason of accident or other emergency, there may be a temporary deficiency of water from other sources of supply,—

(a) in column (1) in Table VI below, enter the map reference number of that point;

(b) in columns (2), (3) and (4), specify the maximum annual, daily and hourly quantities you anticipate will be so abstracted at that point.

TABLE VI

Map ref. no. of point (1)	Maximum quantity (in thousand gallons)		
	per year (2)	per day (3)	per hour (4)
.....			
.....			
.....			

WORKS ETC. PROVIDED IN ANTICIPATION OF FUTURE REQUIREMENTS

13. If you wish to claim that any work, machinery or apparatus specified in Table II or III above was provided by you or your predecessor in title in anticipation of future requirements, explain the extent to which it was so provided

.....

CAPACITY OF WORKS ETC. PROVIDED OR BEING PROVIDED

14. Give particulars of the works, machinery or apparatus falling within

section 35(4) of the Act (*see note (p)*) and of the quantity of water you claim is capable of being abstracted by means of them

.....

.....

.....

.....

.....

.....

PART D—OTHER MATTERS

15. State any other matters which you wish the River Authority to take into account in considering this application

.....

.....

.....

PART E—FORMAL APPLICATION

I hereby apply to the River Authority for a licence of right under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, being a licence to which I claim to be entitled by virtue of section 33(1)(b) of the Act, and I declare that to the best of my knowledge the statements made above are true.

I enclose the map required by the Water Resources (Licences) Regulations 1965.

I also enclose the following evidence, as required by the above-mentioned Regulations of 1965, for the purpose of satisfying the River Authority as respects the matters referred to in Part C above:—

.....

.....

.....

.....

[The name and address of my predecessor in title who abstracted water during the relevant period is as follows (*see note (q)*):—

.....]

Signed.....

* [Authorised on behalf of.....]

Date.....

* *Delete where inappropriate.*

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

- (a) For the meaning of “ source of supply ”, see section 2 of the Act.
- (b) For the meaning of “ abstract ”, see section 135(1) of the Act.
- (c) For the meaning of “ inland water ”, see section 135(1) of the Act. (Section 2 is also relevant.)
- (d) For the meaning of “ underground strata ”, see section 135(1) of the Act.
- (e) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.
- (f) The proposals as to quantities should be formulated having regard to the particulars given in Part C of the form. (*See section 35 of the Act.*) If so desired, map reference numbers may be bracketed together in column (1) of Table IV for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction, and entries in columns (3) and (4) may be omitted. The purposes specified in column (6) of Table IV and the land specified in column (7) should not include any purposes other than those for which, or any land other than land on which, water abstracted in the period of 5 years ending with 1st April 1965 was used. (*See section 35(2) of the Act.*)
- (g) E.g. “ the land coloured blue on the map ”.
- (h) Purposes should be described as follows:—
water undertaking
spray irrigation
cooling purposes
use in a process of manufacture (other than for cooling purposes)
use as a means of conveying any material as a slurry or otherwise
other uses (briefly described), e.g. agriculture or horticulture, other than spray irrigation.
- (i) Water undertakers applying for a licence to abstract for the purposes of their water undertaking should enter “ water undertaking ” in column (6) but need not make any entries in column (7) of Table IV.
- (j) Part C of the form relates to the matters which must be proved to the reasonable satisfaction of the River Authority if they are to be taken into account by the Authority in determining the quantities of water to be specified in the licence. (*See section 35 of the Act.*)
- (k) Water undertakers who abstracted for the purposes of their water undertaking should enter “ water undertaking ” in column (2) but need not make any entries in column (6) of Table V.
- (l) In specifying the quantities abstracted in Table V, no account should be taken of any water abstracted in contravention of section 14(5) of the Water Act 1945 (which restricts the abstraction of water in certain areas).
- (m) In the absence of reliable evidence of the quantities in fact abstracted, estimated quantities should be specified in Table V. Any estimated quantity so specified must be prefixed by the letter “ E ” and the evidence tendered to the River Authority for the purpose of proving matters referred to in Part C (*see note (j) above*) should include a statement of how the estimate was made.
- (n) The attention of applicants is drawn to section 35(5) of the Act under which, where the purposes specified in the licence as the purposes for which water abstracted is to be used consist of or include spray irrigation, subsection (2) of that section (which provides that the quantities specified in the licence as the quantities authorised to be abstracted shall be determined by reference

to the quantities abstracted during the relevant period) is not to apply unless certain matters are proved to the reasonable satisfaction of the River Authority. In cases where the answer to question (a) in paragraph 11 of the form is "No" and the answer to question (b) or to question (c) is also "No", section 35(2) will thus not apply, but in such cases applicants are recommended to provide any information they can in Table V to enable the River Authority to assess the merits of the proposals in Part B of the form.

(o) If so desired, map reference numbers may be bracketed together in column (1) of Table VI for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction, and entries in columns (3) and (4) may be omitted.

(p) The works etc. in question are works, machinery or apparatus which were constructed or installed before 1st April 1965, or were in the course of being constructed or installed on that day, not being works, machinery or apparatus provided for use only in the event of an accident or other emergency involving a total or partial failure of other works, machinery or apparatus.

(q) Delete this paragraph if there was no predecessor in title who abstracted in the relevant period.

Model Form 6

WATER RESOURCES ACT 1963

APPLICATION FOR A LICENCE TO ABSTRACT WATER MADE BY VIRTUE OF SECTION 56(2) IN RELIANCE ON A STATUTORY PROVISION

PART A—GENERAL

APPLICANT

1. Name of applicant (in BLOCK LETTERS)
2. Address of applicant to which communications about this application are to be sent.....
3. Name and address of professional adviser or agent (if any) to whom communications about this application are to be sent.....

RELEVANT STATUTORY PROVISION

4. (a) Identify (*see note (a)*) the statutory provision (*see note (b)*) which came into operation after 1st April 1965 pursuant to an application made at any time before 1st July 1965 and which (apart from the Act) authorises you to abstract (*see note (c)*) water from the source of supply (*see note (d)*) to which this application relates or to do any other thing in relation to that source of supply which is restricted by section 23 of the Act
- (b) State the date on which the application for that statutory provision was made

SOURCE OF SUPPLY TO WHICH APPLICATION RELATES

5. (a) If you claim to be entitled to a licence to abstract water from an inland water (*see note (e)*), give the name of, or sufficient description to identify, that water

(b) If you claim to be entitled to a licence to abstract water from underground strata (*see note (f)*), in Table I below—

- (i) in column (1), enter the reference number, as shown on the map (*see note (g)*) accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water;
- (ii) in column (2), describe the underground strata (e.g. Chalk, Lower Greensand, etc.) from which you propose the licence should authorise abstraction at each point referred to in column (1).

TABLE I

Map ref. no. of point (1)	Underground strata (2)

PART B—PROPOSALS AS TO MATTERS TO BE SPECIFIED IN THE LICENCE (*see note (h)*)

POINTS AND MEANS OF ABSTRACTION AND METHODS OF MEASURING

6. In Table II below—

- (a) in column (1), enter the reference number, as shown on the map accompanying this application, of each of the points at which you propose the licence should authorise the abstraction of water from the source of supply to which this application relates;
- (b) in column (2), specify the work (if any) (e.g. well, borehole, catchpit, etc.) by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) if the source of supply to which this application relates is underground strata—
 - (i) specify in columns (3) and (4) the depth and diameter of each work specified in column (2); and
 - (ii) describe in column (5) how, if at all, the work is or will be lined.

TABLE II

Map ref. no. of point (1)	Work			
	Description (2)	Depth (3)	Diameter (4)	Lining (5)

7. Indicate which underground work (if any) specified in column (2) of Table II above is artesian, and describe how overflow and leakage will be prevented

.....

.....

8. Indicate which underground work (if any) specified in column (2) of Table II above includes headings or adits, and specify the point of communication, length, diameter and orientation of each heading or adit

.....

.....

9. In Table III below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table II;
- (b) in column (2), specify the machinery or apparatus by means of which you propose the licence should authorise abstraction at each point referred to in column (1);
- (c) in column (3), describe the way in which you propose the licence should require the quantities of water abstracted at each point referred to in column (1) to be measured or assessed.

TABLE III

Map ref. no. of point (1)	Machinery or apparatus (2)	Method of measuring or assessing quantities of water abstracted (3)

QUANTITIES OF WATER AND LAND ON WHICH AND PURPOSES FOR WHICH IT IS TO BE USED

10. In Table IV below—

- (a) in column (1), enter the map reference number of each point of abstraction referred to in Table II;
- (b) in the remaining columns, specify under the appropriate headings the quantities of water you propose the licence should authorise to be abstracted at each point referred to in column (1) in the various periods, and the land (*see note (i)*) on which, and the purposes (*see note (j)*) for which, you propose the licence should authorise water abstracted at each point to be used, showing which quantity relates to which period, purpose and land, etc. (*see note (k)*).

TABLE IV

Map ref. no. of point (1)	Maximum quantity (in thousand gallons)			Period (e.g. Nov.-Feb., ... consecutive days in March-May, etc.) (5)	Purpose (6)	Land (7)
	per year or other period specified in col. (5) (2)	per day (3)	per hour (4)			

11. If the relevant statutory provision does not specify or otherwise limit the quantity of water authorised to be abstracted, indicate how the quantities of water specified in Table IV have been assessed

.....

.....

.....

.....

.....

PART C—OTHER MATTERS

12. State any other matters which you wish the River Authority to take into account in considering this application

.....

.....

PART D—FORMAL APPLICATION

I hereby apply to the River Authority for a licence under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, being a licence to which I claim to be entitled by virtue of section 56(2) of the Act.

I enclose the map required by the Water Resources (Licences) Regulations 1965.

*[I also enclose [[a true copy of] the licence under section 14 of the Water Act 1945] [a copy of the statutory provision] on which I rely.]

*[For the following reasons, I cannot enclose the licence (or a copy) under section 14 of the Water Act 1945 on which I rely: —

.....

.....

.....

Accordingly, I enclose the following evidence of the grant of that licence and of its terms:—

.....
.....
.....]

Signed.....

* [Authorised on behalf of.....]

Date.....

** Delete where inappropriate.*

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

(a) Give the appropriate references, e.g. date and serial number of licence under section 14 of the Water Act 1945, title of Order and numbers of relevant sections or paragraphs, etc.

(b) For the meaning of “ statutory provision ”, see section 135(1) of the Act.

(c) For the meaning of “ abstract ”, see section 135(1) of the Act.

(d) For the meaning of “ source of supply ”, see section 2 of the Act.

(e) For the meaning of “ inland water ”, see section 135(1) of the Act. (Section 2 is also relevant.)

(f) For the meaning of “ underground strata ”, see section 135(1) of the Act.

(g) The Water Resources (Licences) Regulations 1965 require the application to be accompanied by an ordnance map showing certain particulars.

(h) The provisions of the licence proposed in Part B of the form should correspond as nearly as may be to the provisions of the relevant statutory provision (and may be expressed by reference to that statutory provision) so far as those provisions relate to the subject-matter of the proposals. If so desired, and if not inconsistent with the provisions of the relevant statutory provision, map reference numbers may be bracketed together in column (1) of Table IV for the purpose of specifying in column (2) an aggregate quantity in respect of a group of points of abstraction, and entries in columns (3) and (4) may be omitted.

(i) E.g. “ the land coloured blue on the map ”.

(j) Purposes should be described as follows:—

water undertaking

spray irrigation

cooling purposes

use in a process of manufacture (other than for cooling purposes)

use as a means of conveying any material as a slurry or otherwise

other uses (briefly described), e.g. agriculture or horticulture, other

than spray irrigation.

(k) Water undertakers applying for a licence to abstract for the purposes of their water undertaking should enter “ water undertaking ” in column (6) but need not make any entries in column (7) of Table IV.

WATER RESOURCES ACT 1963

APPLICATION BY THE BRITISH WATERWAYS BOARD MADE BY VIRTUE OF SECTION 33(1)(a) FOR A LICENCE OF RIGHT IN RESPECT OF ABSTRACTION UNDER A CONTRACT OF SALE IN FORCE ON 1st APRIL 1965 FROM AN INLAND WATER TO WHICH SECTION 131 APPLIES,

OR MADE BY VIRTUE OF SECTION 131(4) FOR A LICENCE IN RESPECT OF ABSTRACTION UNDER A CONTRACT OF SALE ENTERED INTO ON OR AFTER 1st APRIL 1965 FROM AN INLAND WATER TO WHICH SECTION 131 APPLIES

PART A—GENERAL

ADDRESS OF BOARD

1. Address of Board to which communications about this application are to be sent

RELEVANT INLAND WATER

2. Give the name of, or sufficient description to identify, the inland water from which water will be abstracted for the purposes of the relevant contract pursuant to the licence for which this application is made

RELEVANT CONTRACT

3. (a) If this application is made in reliance on section 33(1)(a) of the Act, state the date of, and the names of the original parties to, the contract in force on 1st April 1965 for the sale of water by the Board from the relevant inland water, which is the contract for the fulfilment of which the water to be abstracted pursuant to the licence is required.....

(b) If this application is made in reliance on section 131(4) of the Act—

(i) state the date of, and the name of the other party to, the contract entered into on or after 1st April 1965 for the sale of water by the Board from the relevant inland water, which is the contract for the fulfilment of which the water to be abstracted pursuant to the licence is required

(ii) if the contract was made on or after 1st July 1965, state the date on which the Minister of Transport gave his consent under section 63 of the Transport Act 1962 to the sale of water in pursuance of the contract, and the date on which the application for his consent was made.....

RELEVANT STATUTORY PROVISION

4. If this application is made in reliance on section 33(1)(a) of the Act, identify the statutory provision in force on 1st April 1965 by virtue of which

the Board is entitled to abstract from the relevant inland water the water required for the fulfilment of the relevant contract

PART B—PROPOSALS AS TO MATTERS TO BE SPECIFIED IN THE LICENCE

POINTS AND MEANS OF ABSTRACTION, AND METHODS OF MEASURING QUANTITIES ABSTRACTED (see note (a))

5. In Table I below—

- (a) in column (1), enter a reference number for each point of abstraction referred to in column (2);
- (b) in column (2), specify the Ordnance Survey national grid map coordinates (to eight figures) of each of the points at which the Board propose the licence should authorise the abstraction of water from the relevant inland water;
- (c) in column (3), specify the works and/or machinery and/or apparatus by means of which the Board propose the licence should authorise abstraction at each point referred to in column (2);
- (d) in column (4), describe the way in which the Board propose the licence should require the quantities of water abstracted at each point referred to in column (2) to be measured or assessed.

TABLE I

Point of abstraction		Means of abstraction (3)	Method of measuring or assessing quantities abstracted (4)
Ref. no. (1)	Location (2)		

QUANTITIES OF WATER (see note (b))

6. In Table II below—

- (a) in column (1), enter the reference number of each point of abstraction referred to in Table I, bracketing numbers together if it appears to the Board to be appropriate to do so for the purpose of specifying in any of the remaining columns an aggregate quantity in respect of a group of points;
- (b) if the relevant contract specifies or otherwise limits the quantity of water authorised to be abstracted from the relevant inland water, state in column (2) the provisions appearing to the Board to correspond as nearly as may be to the provisions of the relevant contract which are the provisions the Board propose the licence should make as to the quantities of water authorised to be abstracted at each point (or, as the case may be, at the points in each group) referred to in column (1);

(c) if the relevant contract does not specify or otherwise limit the quantity of water authorised to be abstracted from the relevant inland water—

(i) specify in column (3) the maximum quantity of water the Board propose the licence should authorise to be abstracted at each point (or, as the case may be, at the points in each group) referred to in column (1) annually or in the periods (if any) specified in column (6); and

(ii) if the Board wish to make proposals as to daily and/or hourly quantities, specify in column (4) and/or in column (5) the maximum quantity they propose the licence should authorise to be abstracted at each point (or, as the case may be, at the points in each group) referred to in column (1).

TABLE II

Ref. no. of point	Provisions as to quantities corresponding to provisions of relevant contract	Maximum quantities (in thousand gallons)			Period (e.g. Nov.-Feb., any period of . . . days in March-May, etc.)
		per year or other period specified in col. 6 (3)	per day (4)	per hour (5)	
(1)	(2)	(3)	(4)	(5)	(6)

PART C—MATTERS MENTIONED IN SECTIONS 34(3)-(5) OF THE ACT AFFECTING THE QUANTITIES OF WATER TO BE SPECIFIED IN THE LICENCE (see note (c))

Note:—Part C applies only if the application is made in reliance on section 33(1)(a) of the Act and the relevant contract does not specify or otherwise limit the quantity of water authorised to be abstracted.

QUANTITIES OF WATER ABSTRACTED IN THE RELEVANT PERIOD

7. On or about what date within the period of 5 years ending with 1st April 1965 did abstraction from the relevant inland water begin for the purposes of the relevant contract?.....

8. In Table III below, in respect of each year referred to in column (1) during which water was abstracted from the relevant inland water for the purposes of the relevant contract—

(a) in column (2), specify the total quantity of water so abstracted in that year;

(b) in columns (3) and (4), specify the maximum daily and hourly quantities of water so abstracted.

TABLE III

Note:—Prefix any estimated quantity by the letter “ E ” (see note (d))

Year ending with 1st April (1)	Quantities abstracted (in thousand gallons)		
	Total in year (2)	Maximum per day (3)	Maximum per hour (4)
1961			
1962			
1963			
1964			
1965			

9. Give particulars of any further matters which the Board desire to have taken into account under section 34 of the Act

.....

.....

.....

PART D—OTHER MATTERS

10. State any other matters which the Board desire the River Authority to take into account in considering this application

.....

.....

.....

PART E—FORMAL APPLICATION

On behalf of the British Waterways Board, I hereby apply to the
River Authority for a licence * [of right] under the Water Resources Act 1963 to abstract water in accordance with the proposals indicated above, being a licence to which the Board claim to be entitled by virtue of section *[33(1)(a)] [131(4)] of the Act, and I declare that to the best of my knowledge the statements made above are true.

* [I enclose a copy of the statutory provision on which the Board rely.]

I*[also] enclose a copy of material provisions of the relevant contract.

*[I also enclose the following evidence for the purpose of satisfying the River Authority as respects the matters referred to in Part C above:—

.....

.....]

* [I also enclose a copy of the Consent of the Minister of Transport which is referred to in paragraph 3(b) (ii) above.]

Signed.....

Authorised on behalf of the British Waterways Board

Date.....

* Delete where inappropriate.

It is an offence to make a false statement in applying for a licence. (See section 115(1) of the Act.)

NOTES

(a) The provisions of the licence proposed in Table I should correspond as nearly as may be to the provisions of the relevant contract (and may be expressed by reference to that contract) so far as those provisions relate to the subject-matter of the proposals.

(b) If the application is made in reliance on section 33(1)(a) and the relevant contract does not specify or otherwise limit the quantity of water authorised to be abstracted, the proposals in columns (3), (4), (5) and (6) of Table II should be formulated having regard to the particulars given in Part C of the form.

(c) Part C of the form relates to the matters mentioned in section 34(3)-(5) of the Act (as modified by section 131(3)(c)) which must be proved to the reasonable satisfaction of the River Authority if they are to be taken into account by the Authority in determining the quantities of water to be specified in the licence in a case where the relevant contract does not specify or otherwise limit the quantity of water authorised to be abstracted.

(d) In the absence of reliable evidence of the quantities in fact abstracted, estimated quantities should be specified in Table III. Any estimated quantity so specified must be prefixed by the letter "E" and the evidence tendered to the River Authority for the purpose of proving matters referred to in Part C (see note (c) above) should include a statement of how the estimate was made.

Regulations 4(4),
18 and 19

SCHEDULE 2
PRESCRIBED FORMS OF NOTICES

Form N 1

WATER RESOURCES ACT 1963

NOTICE OF APPLICATION FOR LICENCE TO ABSTRACT WATER

Notice is hereby given that an application is being made to the (a)
..... River Authority by (b)
.....
for a licence to abstract the following quantities of water from (c)

.....
at the following point(s) of abstraction:—

(d) gallons per (e) at (f)
*[(d) gallons per (e) at (f)]
*[(d) gallons per (e) at (f)]
*[(d) gallons per (e) at any point between
(g) and]

*[Further details of the application are:—

(h)
.....]

A copy of the application and of any map, plan or other document submitted with it may be inspected free of charge at (i)
.....
at all reasonable hours during the period beginning on (j).....
and ending on (k)

Any person who wishes to make representations about the application should do so in writing to the Clerk of the (a) River Authority at (l) before the end of the said period.

Signed.....
 *On behalf of.....
 Date.....

* Delete where inappropriate.

- (a) Insert name of River Authority.
- (b) Insert name and address of applicant.
- (c) Insert name of, or sufficient description to identify, the inland water or underground strata.
- (d) Insert number of gallons.
- (e) Insert period.
- (f) Specify (by reference to identifiable geographical features or to Ordnance Survey national grid map co-ordinates, followed by names of civil parish and district) the point of abstraction.
- (g) Specify (by reference as mentioned in note (f) above) any points between which it is proposed to abstract by mobile means of abstraction.
- (h) Give further brief details, if desired.
- (i) Insert an address within the locality of the point(s) of abstraction.
- (j) Insert a date which is not earlier than the date on which the notice is first published in a newspaper other than the London Gazette.
- (k) Insert a date which is not less than 28 days from the date on which the period begins and not less than 25 days from the date on which the notice is published in the London Gazette.
- (l) Insert address of office of River Authority to which the application is transmitted.

Form N 2

WATER RESOURCES ACT 1963

**NOTICE OF APPLICATION FOR LICENCE TO OBSTRUCT OR
 IMPEDE THE FLOW OF AN INLAND WATER BY MEANS
 OF IMPOUNDING WORKS**

Notice is hereby given that an application is being made to the (a)
 River Authority by (b)
 for a licence to obstruct or impede the flow of (c)
 by means of (d)
 at (e)
 * [The object of impounding water by means of the works is (f)]
 * [The capacity of the reservoir at overflow level will be (g) gallons]
 * [Further details of the application are:—
 (h)]

A copy of the application and of any map, plan or other document submitted with it may be inspected free of charge at (i)

 at all reasonable hours during the period beginning on (j)
 and ending on (k)

Any person who wishes to make representations about the application should do so in writing to the Clerk of the (a)
 River Authority at (l) before the end of the said period.

Signed.....
 *On behalf of.....
 Date.....

** Delete where inappropriate.*

- (a) Insert name of River Authority.
- (b) Insert name and address of applicant.
- (c) Insert name of, or sufficient description to identify, the inland water.
- (d) Insert brief description of works it is proposed to construct or alter.
- (e) Specify (by reference to identifiable geographical features or to Ordnance Survey national grid map co-ordinates, followed by names of civil parish and district) the point at which the flow of the inland water will be obstructed or impeded by means of the works.
- (f) Specify object, if the works are for impounding water.
- (g) Insert number of gallons, if the works are for impounding water.
- (h) Give further brief details, if desired.
- (i) Insert an address within the locality of the works.
- (j) Insert a date which is not earlier than the date on which the notice is first published in a newspaper other than the London Gazette.
- (k) Insert a date which is not less than 28 days from the date on which the period begins and not less than 25 days from the date on which the notice is published in the London Gazette.
- (l) Insert address of office of River Authority to which the application is transmitted.

Form N 3

WATER RESOURCES ACT 1963

**NOTICE OF APPLICATION FOR A COMBINED LICENCE TO
 OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER
 BY MEANS OF IMPOUNDING WORKS AND TO ABSTRACT WATER**

Notice is hereby given that an application is being made to the (a)
 River Authority by (b)

 for a combined licence to obstruct or impede the flow of (c)

 by means of (d)

 at (e)
 and to abstract (f) gallons of water per (g)
 from the said inland water at or near that point.

The capacity of the reservoir at overflow level will be (h) gallons.
*[Further details of the application are:—

(i)]

A copy of the application and of any map, plan or other document submitted with it may be inspected free of charge at (j)
.....
at all reasonable hours during the period beginning on (k)
and ending on (l)

Any person who wishes to make representations about the application should do so in writing to the Clerk of the (a)
River Authority at (m) before the end of the said period.

Signed.....

*On behalf of.....

Date.....

** Delete where inappropriate.*

- (a) Insert name of River Authority.
- (b) Insert name and address of applicant.
- (c) Insert name of, or sufficient description to identify, the inland water.
- (d) Insert brief description of works it is proposed to construct or alter.
- (e) Specify (by reference to identifiable geographical features or to Ordnance Survey national grid map co-ordinates, followed by names of civil parish and district) the point at which the flow of the inland water will be obstructed or impeded by means of the works.
- (f) Insert number of gallons.
- (g) Insert period.
- (h) Insert number of gallons.
- (i) Give further brief details, if desired.
- (j) Insert an address within the locality of the works.
- (k) Insert a date which is not earlier than the date on which the notice is first published in a newspaper other than the London Gazette.
- (l) Insert a date which is not less than 28 days from the date on which the period begins and not less than 25 days from the date on which the notice is published in the London Gazette.
- (m) Insert address of office of River Authority to which the application is transmitted.

Form N 4

WATER RESOURCES ACT 1963

NOTICE OF APPLICATION TO VARY *[A LICENCE TO ABSTRACT WATER] [A LICENCE TO OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS] [A COMBINED LICENCE TO OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS AND TO ABSTRACT WATER] [AN "ALTERNATIVE STATUTORY PROVISION" AUTHORISING THE OBSTRUCTION OR IMPEDING OF THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS]

Notice is hereby given that an application is being made to the (a)

..... River Authority by (b)
 to vary *[the [combined] licence (serial number (c))]
 [to abstract water from (d)]
 at [(e)]
 [any point between (f) and]
 [to obstruct or impede the flow of (g) by
 means of impounding works at (h)] [and to
 abstract water from the said inland water at or near that point] [the “alter-
 native statutory provision” contained in (i)]
 authorising the obstruction or impeding of the flow of (j)
 by means of impounding works at (k)]

The variation applied for is: —

(l)

A copy of the application and of any map, plan or other document sub-
 mitted with it may be inspected free of charge at (m)
 at all reasonable hours during the period beginning on
 (n) and ending on (o)

Any person who wishes to make representations about the application
 should do so in writing to the Clerk of the (a)
 River Authority at (p) before the
 end of the said period.

Signed.....

*On behalf of.....

Date.....

** Delete where inappropriate.*

(a) Insert name of River Authority.

(b) Insert name and address of applicant.

(c) Insert serial number of licence.

(d) Insert name of, or sufficient description to identify, the inland water or
 underground strata to which the licence relates.

(e) Specify (by reference to identifiable geographical features or to Ordnance
 Survey national grid map co-ordinates, followed by names of civil parish and
 district) the points of abstraction to which the licence relates.

(f) Specify (by reference as mentioned in note (e) above) any points be-
 tween which the licence authorises abstraction by mobile means.

(g) Insert name of, or sufficient description to identify, the inland water to
 which the licence relates.

(h) Specify (by reference as mentioned in note (e) above) the point at which
 the licence authorises the obstruction or impeding of the flow.

(i) Insert appropriate references (e.g. title of Act or Order and numbers of
 relevant sections or paragraphs) to identify the “alternative statutory pro-
 vision”.

(j) Insert name of, or sufficient description to identify, the inland water to
 which the “alternative statutory provision” relates.

(k) Specify (by reference as mentioned in note (e) above) the point at which
 the “alternative statutory provision” authorises the obstruction or impeding
 of the flow.

(l) Insert brief summary of variation.

(m) Insert an address within the locality of the point(s) of abstraction to which the licence relates or, as the case may be, within the locality of the works to which the licence (or the "alternative statutory provision") relates.

(n) Insert a date which is not earlier than the date on which the notice is first published in a newspaper other than the London Gazette.

(o) Insert a date which is not less than 28 days from the date on which the period begins and not less than 25 days from the date on which the notice is published in the London Gazette.

(p) Insert address of office of River Authority to which the application is transmitted.

Form N 5

WATER RESOURCES ACT 1963

NOTICE OF PROPOSALS FOR *[REVOKING] [VARYING] [A LICENCE TO ABSTRACT WATER] [A LICENCE TO OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS] [A COMBINED LICENCE TO OBSTRUCT OR IMPEDE THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS AND TO ABSTRACT WATER] [AN "ALTERNATIVE STATUTORY PROVISION" AUTHORISING THE OBSTRUCTION OR IMPEDING OF THE FLOW OF AN INLAND WATER BY MEANS OF IMPOUNDING WORKS]

Notice is hereby given that the (a) River Authority, in pursuance of section 43 *[and section 48] of the above Act, have formulated proposals for *[revoking] [varying] [the [combined] licence (serial number (b))] [to abstract water from (c)] at [(d)] [any point between (e) and] [to obstruct or impede the flow of (f)] by means of impounding works at (g) [and to abstract water from the said inland water at or near that point] [the "alternative statutory provision" contained in (h)] authorising the obstruction or impeding of the flow of (i)..... by means of impounding works at (j).....

*[The proposed variation is:—

(k)]

A copy of the proposals and of any map, plan or other document prepared in connection with them may be inspected free of charge at (l)
.....
at all reasonable hours during the period beginning on (m)
and ending on (n)

*[If you, being the holder of the licence, wish to object to the proposals you] [Any person who wishes to make representations about the proposals] should do so in writing to the Clerk of the (a)
..... River Authority at (o).....
.....before the end of the said period.

Signed.....

Clerk of theRiver Authority.

Date.....

** Delete where inappropriate.*

- (a) Insert name of River Authority.
- (b) Insert serial number of licence.
- (c) Insert name of, or sufficient description to identify, the inland water or underground strata to which the licence relates.
- (d) Specify (by reference to identifiable geographical features or to Ordnance Survey national grid map co-ordinates, followed by names of civil parish and district) the points of abstraction to which the licence relates.
- (e) Specify (by reference as mentioned in note (d) above) any points between which the licence authorises abstraction by mobile means.
- (f) Insert name of, or sufficient description to identify, the inland water to which the licence relates.
- (g) Specify (by reference as mentioned in note (d) above) the point at which the licence authorises the obstruction or impeding of the flow.
- (h) Insert appropriate references (e.g. title of Act or Order and numbers of relevant sections or paragraphs) to identify the "alternative statutory provision".
- (i) Insert name of, or sufficient description to identify, the inland water to which the "alternative statutory provision" relates.
- (j) Specify (by reference as mentioned in note (d) above) the point at which the "alternative statutory provision" authorises the obstruction or impeding of the flow.
- (k) Insert brief summary of variation, if the proposals are for varying the licence.
- (l) Insert an address within the locality of the place or places where the licence authorises water to be abstracted and/or impounded or, as the case may be, within the locality of the works to which the "alternative statutory provision" relates.
- (m) Insert a date which is not earlier than the date on which the notice is first published in a newspaper other than the London Gazette.
- (n) Insert a date which is not less than 28 days from the date on which the period begins and not less than 25 days from the date on which the notice is published in the London Gazette.
- (o) Insert address of River Authority.

WATER RESOURCES ACT 1963

NOTICE OF APPLICATION BY OWNER OF FISHING RIGHTS FOR * [REVOCATION] [VARIATION] OF A LICENCE TO ABSTRACT WATER

Notice is hereby given that (a) being the owner of fishing rights in respect of (b) * [between (c) and] has applied to the Minister of Housing and Local Government under section 47 of the above Act for the *[revocation] [variation] of the licence (serial number (d)) to abstract water from the said inland water on the grounds that, in his capacity as the owner of those rights, he has sustained loss or damage which is directly attributable to the abstraction of water in pursuance of the said licence, and (e)

The loss or damage sustained comprises:—

(f)

* [The variation applied for is:—

(g)]

You are entitled * [as the holder of the said licence] [as the River Authority concerned] to make representations in writing to the Minister of Housing and Local Government about the application at any time before the end of the period of 28 days beginning with the date of service of this notice.

* Delete where inappropriate.

(a) Insert name and address of applicant.

(b) Insert name of, or sufficient description to identify, the inland water in respect of which the fishing rights are owned.

(c) Specify (by reference to identifiable geographical features or to Ordnance Survey national grid map co-ordinates, followed by names of civil parish and district) the points between which the fishing rights are exercisable, if those rights are owned in respect of a part only of the inland water.

(d) Insert serial number of licence.

(e) Insert the grounds mentioned in paragraph (a) or in paragraph (b) in section 47(2) of the Act, whichever of those grounds are relied on.

(f) Insert details of loss or damage sustained.

(g) Insert particulars of variation, if the application is for the variation of the licence.

Regulation 10

SCHEDULE 3

INFORMATION TO BE GIVEN BY RIVER AUTHORITIES

Acknowledgement of receipt of application

Your application dated [insert date] has been received and, if on [insert date of expiry of appropriate period under regulation 10(4)] you have not been

given notice by the River Authority of their decision, you are entitled, unless the application has already been referred by the Authority to the Minister of Housing and Local Government, to appeal to the Minister in accordance with section 39 (by virtue of section 40) of the Water Resources Act 1963 by notice served within one month from that date. You may, however, by agreement in writing with the River Authority, extend the period within which the decision of the Authority is to be given.

Notification to be sent with River Authority's decision

If the applicant is dissatisfied with the decision of the River Authority on his application, he may, by notice served within one month from the date of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with section 39 of the Water Resources Act 1963. The Minister has power to allow a longer period for the giving of a notice of appeal.

Notice to be appended to a licence to abstract water

IMPORTANT NOTICE TO A SUCCESSOR TO THIS LICENCE

If you have become the holder of this licence, in accordance with section 32(1), or regulations made under section 32(3), of the Water Resources Act 1963, by succeeding to the previous licence holder's occupation of land specified in the licence as land on which water abstracted in pursuance of the licence is to be used, you should note that, by virtue of section 32(2) of the above Act (or corresponding provisions in the regulations under section 32(3)), you will cease to be the holder of the licence at the end of a period of one month from the date on which you became the occupier of the land in question unless before the end of that period you have given the River Authority notice of the change in the occupation of the land.

Given under the official seal of the Minister of Housing and Local Government on 19th March 1965.

(L.S.)

R. H. S. Crossman,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations are made for the purposes of Part IV of the Water Resources Act 1963, under which the abstraction of water (section 23 of the Act), and the undertaking of work in connection with the impounding of water otherwise than in pursuance of an "alternative statutory provision" (section 36), will become subject to control by licensing on 1st July 1965, i.e. on the conclusion of "the initial period" of three months beginning with the second appointed day.

Part II of the regulations governs the making of, and dealing with, all applications for licences under the Act, save as otherwise provided in Part III or in any regulations relating to succession to licences for the time being in force under section 32 of the Act (regulation 4(1)). Subject to exceptions in regulation 9, this Part also applies to an application for the variation of a licence by the holder (regulation 4(2)). The remaining provisions of regulation 4 prescribe the particulars which are to be included in applications for licences (by reference to model forms of application in Schedule 1) and the forms of notices which applicants are required to publish (Schedule 2), and interpret some of the requirements of subsequent regulations. Every application for a licence under Part II of the regulations must be made in accordance with regulation 5, and whichever is appropriate of regulations 6 to 8, to the river authority for the area where the proposed abstraction or impounding work is to take place. Regulation 10 imposes various obligations on river authorities, including (in pursuance of section 54(3)) the duty to afford to any National Park planning authority concerned an opportunity to make representations with respect to an application affecting a National Park. Regulation 11 provides (in pursuance of section 33(5)) that associated abstractions which, apart from the Act, are authorised by separate statutory provisions may in certain circumstances be authorised by a single licence of right. Regulation 12 deals with appeals by dissatisfied applicants to the Minister.

Part III of the regulations relates to special cases. Regulations 13 to 15 provide (in pursuance of section 52) for the grant, or deemed grant, by the Minister of licences required by river authorities in respect of abstraction of water or impounding works in their own areas, and prescribe the exceptions and modifications subject to which the provisions of Part IV of the Act are to have effect in relation to such abstraction or works. Regulation 16 makes special provision as respects certain applications by the British Waterways Board for licences required (in accordance with section 131(3) or (4) of the Act) to fulfil contracts for the sale of water from inland waters of the Board to which that section applies.

The miscellaneous provisions of Part IV of the regulations include, in regulation 17, provisions relating to the register of applications and licences required by section 53 of the Act.

By definition in regulation 2(1), "river authority" for the purposes of the regulations includes any authority, board or other body who for the time being have functions of a river authority (e.g. the Conservators of the River Thames). And regulation 2(2) extends to the regulations the provision made by section 48 of the Act with respect to the revocation or variation of an alternative statutory provision (as defined in that section) authorising impounding works.

Printed in England by McCorquodale & Co. Ltd., London

and published by

HER MAJESTY'S STATIONERY OFFICE: 1965

(104/H.M.S. 203) (F. 46) K.20 3/65 McC

ISBN 0-11-079425-7



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